
Belfast Improvement Acts Amendment.

R E P O R T

OF THE
COMMISSIONERS

OF
HER MAJESTY'S

WOODS, FORESTS, LAND REVENUES, WORKS AND BUILDINGS,

ENCLOSING THE

REPORT of the SURVEYING OFFICERS appointed under the above Act.

TO THE HONOURABLE THE KNIGHTS, CITIZENS AND BURGESSES
IN PARLIAMENT ASSEMBLED.

THE COMMISSIONERS of Her Majesty's Woods, Forests, Land Revenues, Works and Buildings beg to report to your Honourable House,—That having, on or before the Thirtieth day of November last, received a Notice in writing of an intention to apply to Parliament during the present Session for an Act "For the farther Improvement of the Borough of Belfast," they appointed *Alexander Norman*, Esquire, Barrister-at-Law, of Temple-street, Dublin, and *George Archibald Leach*, Esquire, Captain of the Corps of Royal Engineers, Dublin, to be Surveying Officers for the purposes of an Act passed in the tenth year of the reign of Her present Majesty, intituled, "An Act for making preliminary Inquiries in certain Cases of Application for Local Acts," in so far as the said Act relates to the said intended application; and that the said Surveying Officers having, by virtue of the said appointment, and in pursuance of the provisions of the said Act, proceeded to Belfast, and having made such local examination and survey of the district which such proposed Act will affect, and of the neighbourhood thereof, and such inquiries relative to the extent of the provisions of the proposed Act, and having investigated such other matters relating thereto as the said Commissioners have ordered, have, by a Report under their hands, certified to the said Commissioners the result of such their examination and survey. And the said Commissioners beg to lay before your Honourable House the said Report of the said Surveying Officers, with a verbatim copy thereto annexed of all the Evidence produced before the said Surveying Officers, and on which their said Report is founded.

MORPETH, { Commissioners of Her Majesty's
A. MILNE, { Woods, Forests, Land Revenues,
Works and Buildings.

Office of Woods, &c., }
27 February 1847. }

LOCAL ACTS.—PRELIMINARY INQUIRIES:

9 & 10 VICT. c. 106.

R E P O R T

OF

ALEXANDER NORMAN, ESQ., BARRISTER-AT-LAW, AND CAPTAIN
GEORGE ARCHIBALD LEACH, R.N.

ON THE

Belfast Improvement Acts Amendment Bill.

TO the Commissioners of Her Majesty's Woods, Forests, Land Revenues,
Works, and Buildings.

My Lord and Gentlemen,

IN pursuance of your instructions, bearing date the 31st day of December 1846, directing us to proceed to Belfast, and to make such local examination and survey of the district which the Belfast Improvement Acts Amendment would affect, and of the neighbourhood thereof, and such inquiries relative to the extent of the provisions of the proposed Act, and to investigate such other matters relating thereto as are contained in the Schedule of Instructions transmitted to us;

We (having first given such public notice as is required by the Act) proceeded to the town of Belfast, and, upon Wednesday, the 3d February 1847, accompanied by Charles Lanyon, surveyor for the county of Antrim, John Bates, town-clerk of the borough of Belfast, and William Hastings, surveyor of the said borough, made a local examination and survey of the district which the Belfast Improvement Acts Amendment will affect; and upon Thursday, the 4th of February instant, we, at the Town-hall, proceeded to hold such inquiry relative to the extent of the provisions of the proposed Act, and to investigate such other matters relating thereto as were mentioned in our instructions; and continued to hold such sittings by adjournment from day to day, in the said Town-hall, until Thursday, the 11th of February instant, upon which day all such inquiry and investigation as to us seemed to be necessary was completed, and all evidence, applicable in our judgments to the matters before us, tendered by any party desirous to be heard, was received and concluded.

J. Lanyon, G.
Gates, Esq. p. 1.

In order that the Commissioners may the better understand the contemplated provisions of the proposed Act, and the evidence taken by us in relation thereto, we deem it right to observe, that the management of the municipal affairs of the borough of Belfast is vested in the Mayor, Aldermen, and Burgesses, under the provisions of the several Acts passed respectively in the eighth and ninth years and ninth year of the Queen, passed in the Sessions of 1845 and 1846; the powers and provisions of which said Acts are carried on under and by the authority of the Council of the borough, and the same parties are the Promoters of the proposed Act, in which they seek certain amendments and extensions of and in the powers and provisions of their present existing Acts.

J. Bates, Esq. pp.
11, 16.
Exhibit, No. 6.

J. Bates, Esq. p. 9.
Exhibit, No. 43.

We have, in the preparation of this our Report, and in the order of taking the evidence, pursued as nearly as practicable the line laid down in the Instructions; and the evidence will be found, in the Appendix to our Report, classified under corresponding heads.

The evidence and plans produced by the Promoters in some instances fall short of what we were instructed to require from them; but, considering the shortness of the time allowed to them for preparation, and the novelty and minuteness of the inquiry, we are of opinion that due diligence has been used by them in meeting the several objects of the investigation.

DIVISION I.—SUPPLY OF WATER.

The clauses of the proposed Bill relating to the first subject in our Instructions, namely, the supply of water, are the 27th and 28th sections, by which the Town Council seek for powers to sink wells, and provide other apparatus to procure water for public purposes, and also to erect, in suitable situations in the borough, proper troughs for watering horses.

The town of Belfast is, and has been hitherto, supplied with water for the use of the inhabitants by a Company, incorporated under an Act of Parliament of the 3d Victoria, c. 79, and called, "The Board of Water Commissioners of the Town of Belfast," and also by private wells and pumps.

Water has not been supplied by the said Company for the watering of the streets, but the same has been procured from pumps, which are principally supplied by tidal water.

It appears by the evidence produced before us under this head, that applications have been made to the Board of Water Commissioners by the Town Council for a supply of water for watering the streets, and other public purposes, but it being optional with the Board under their Act whether they would grant such supply or not, they did not accede to the application, being of opinion that doing so might endanger the sufficiency of the supply to the inhabitants, and also considering that a supply from pumps and wells could be obtained at a cheaper rate than if supplied by the Water Commissioners.

It appears to us that the granting of these powers will not interfere with the rights or privileges already possessed by the Board of Water Commissioners; and in our opinion, a supply of water adequate for the purposes sought by the Bill may be obtained in the manner therein proposed, at a comparatively small cost, and that it is necessary for the convenience and comfort of the inhabitants.

DIVISION II.—DRAINAGE, SEWERAGE, AND CLEANSING.

In reference to the second head of our inquiry, drainage, sewerage, and cleansing, the clauses of the proposed Bill will be found at Section 29 to 43, inclusive.

The powers thereby sought are divisible into two heads:—First, the drainage and improvement of the River Blackstaff; and secondly, an extension and enlargement of existing powers for the more effectual sewerage and cleansing of the town.

The drainage and improvement of the Blackstaff River, we are of opinion, from personal observation, and the evidence which has been adduced before us, is indispensably necessary for the sanitary condition of the adjoining neighbourhood, and that the same cannot be effectuated without the removal of the weir, called the Paper Mill Weir, and the improvement and alteration of the present channel of the river.

Upon this branch of the inquiry opposition was given, and two plans were submitted to us, one on the part of the Promoters, and the other on the part of

Ev. p. 1.
Exhibit, No. 43.

W. Hastings, Ev.
p. 1.
J. Stevelly, Ev.
p. 3.

W. Hastings, Ev.
p. 1.

W. Hastings, Ev.
pp. 1, 4.
J. Bates, Ev. p. 2.
J. Stevelly, Ev.
p. 3.
W. Allen, Ev. p. 4.

Exhibit, No. 43.

Part 1.
Drainage of the
Blackstaff River.

E. Tucker, Ev. p. 6.
J. Davis, Ev. p. 6.
J. S. Reid, Ev. p. 6.
S. Benson, Ev. p. 7.
J. Davison, Ev. p. 7.
C. Lanyon, Ev. pp.
4, 7, 8, 9.

Exhibit, No. 15.
Like, No. 30.

of the Messrs. Joy, objectors to this part of the Bill; the latter plan shows an alternative cut for the channel of the Blackstaff, but within the limit of deviation provided in the proposed Bill. Exhibit, No. 30.

The Messrs. Joy claim to be proprietors of the paper-mill above mentioned, and of ground adjacent to the Blackstaff River, which would be required for the proposed new cut. The Messrs. Duffin, owners of the mill adjacent to the present channel, and Mr. John Morgan, a mill-owner, also opposed these clauses. Ev. pp. 9, 10.

The objections of the Messrs. Joy rested upon the value of the ground required for the new cut as proposed by the Promoters, and also upon the injury their property would sustain from the right to exercise the compulsory power of purchase being extended over so long a period as five years; and further, because the measures proposed by the Promoters would not effectuate the desired object.

With regard to these objections, we are of opinion that the end in view might be obtained by adopting the alternative line proposed by Messrs. Joy at less expense, and at less injury to adjoining lands, and that a compulsory power of purchase, extending over five years, is calculated to injure their property, which is becoming daily more valuable in consequence of the extension of the town in that direction. Exhibit, No. 3.
T. Walsh, Ev. p. 10.

The objections of Messrs. Duffin and Mr. Morgan were founded upon their claim to the enjoyment of an easement exercised by them of a supply of water from the present channel of the Blackstaff, the use of which by them for mill purposes was proved before us, and upon these objections being urged, Mr. Bates, solicitor for the Bill, on the part of the Promoters, without admitting the right of the said parties to the easement which they respectively claimed, consented that a general clause should be inserted in the Bill providing for compensation for all parties who might be deprived of or interfered with in the enjoyment of any easement to which they might show themselves entitled, arising from the ~~dissection of the water of the Blackstaff~~, or in the making of the new cut, conformable to or on the same principle with the provisions as to the taking of land contained in the Land Clauses Consolidation Act, upon which they withdrew their opposition. A. Duffin, Ev. p. 9.
App. p. 2.

Under the second head, namely, the extension and enlargement of the sewerage, and cleansing of the town, the Promoters laid before us a plan, showing the state of the existing sewers, but they did not submit any general plan for the effectual sewerage and cleansing of the borough as sought by the proposed Bill. To account for not doing so, they stated to us that the subject presents many difficulties, arising from the low situation of the town of Belfast, and its general level as compared with the height of ordinary tides at high water; but at the same time they represented to us that the subject has for a considerable time engaged their attentive consideration. The non-production of a comprehensive plan of sewerage is not, therefore, in our opinion, to be attributed to any inattention to the subject on the part of the Town Council, but to its importance and practical difficulty. At the same time we respectfully recommend, that in case it be deemed right to grant such extended powers for sewerage and cleansing as are now sought by the Promoters, a clause should be inserted in the Act, providing, that previous to the exercise of such powers, a general plan should be submitted to the Commissioners for approval, before being carried into effect. Before leaving this subject, we deem it right to say, that considering the limited period during which the question of sewerage has occupied public attention, the existing state of the sewers of the town of Belfast shows an anxiety on the part of the Town Council to improve the health of the town, and to exercise beneficially the powers they already possess for that purpose. Part 2.
Sewerage and
Cleansing.
Exhibit, No. 7.
W. Hastings, Ev.
p. 11.
J. Bates, Ev. p. 11.
J. Bates, Ev. p. 16.

DIVISION III.—PAVEMENTS.

The third branch of inquiry embraces the consideration of pavements; the clauses in the Bill in reference to that subject are the 19th to the 26th, inclusive. Exhibit, No. 43.
Exhibits, Nos. 7, 8.

sive. The Promoters have produced to us plans, sections, and other evidence showing the existing state of the pavements; and as it appears to us that the powers which they already possess have been exercised in a manner satisfactory and beneficial to the inhabitants of the borough, we are of opinion that the additional powers now sought for should be granted to them, if the Commissioners think fit; and we have to observe, that no opposition to the granting of such additional powers was made in evidence, or otherwise, before us.

DIVISION IV.—PUBLIC EDIFICES, &c.

Exhibit, No. 43.

Part 1.
Purchase of
Markets.

J. Bates, Esq. p. 21.

Part 2.
Lagan Bridge.

A. Cranston, Esq.
p. 23.

W. Coates, Esq. p.
23.

J. Bates, Esq. p. 22.

There are no clauses in the Bill which, strictly speaking, came within the definition contained in the fourth head of our instructions, namely, Public Edifices, Markets, Courts of Law, Town Halls, and Bridges; but inasmuch as it does contain special clauses in sections 70 and 71, for confirming the purchase of markets and market rights, and also, that in sections 75 to 80, inclusive, the Promoters seek for a power enabling the Lagan Bridge Company to sell their Bridge to the Town Council, we have deemed it right to consider evidence offered in relation to these subjects under this heading.

In relation to the clauses for confirming the purchases already made of markets and market rights, under the powers already given by their existing Act to the Town Council, it does not appear to us there is any objection to the confirmation of such purchase, nor was there any opposition to the same made before us; and with reference to the clauses to enable the Lagan Bridge Company to sell, and the Town Council to buy, the bridge of the said Lagan Bridge Company, over the River Lagan, we are of opinion that the granting of such power is calculated to be of great benefit to the inhabitants of the borough as both sides of the river, inasmuch as the bridge will be freed from the toll which is at present levied, and which tends to prevent the improvement of that part of the town in the neighbourhood of the Lagan Bridge, and also throws the whole, or nearly the whole of the traffic from the county of Down side of the river upon the only other bridge, which is, in consequence, crowded to inconvenience.

DIVISION V.—PUBLIC WAYS, &c.

Exhibit, No. 43.

Upon the fifth branch of our inquiry, namely, as to public ways and walks, streets, squares, and parks, the Promoters, in their proposed Bill, seek for powers of compulsory purchase, upon an extensive scale, as will be seen by reference to Sections 11 and 12, and to Schedule (A.) to Bill; and it will be further seen, by reference to Sections 13 to 18 inclusive, that the Town Council also seek for extensive powers of sale and leasing of all lands not required for improvements or the purposes of their proposed Bill, and of their existing Act, passed in 1845.

To the granting of the several powers thus sought, opposition was given both on the part of the owners and occupiers of land and premises comprised in the said Schedule, as well as on the part of ratepayers within the borough.

For the purpose of more clearly explaining to the Commissioners the case as it came before us in evidence, and the objects of the Promoters, so far as they were disclosed, as likewise the grounds of opposition, we have divided the subject into two parts; the one under the head of widening and extending of streets; the other, that of lands sought to be taken as required for markets.

The contemplated extension of Tailbot-street to James'-street, marked (A.) on Plans, was supported upon the ground that the existing communication to the quays and docks would be thereby facilitated; and also, that under the existing Act, the Town Council had already acquired, by compulsory purchase, a plot adjacent to the premises now sought to be taken, and into which the projected extension would lead; and also, because the houses in the immediate proximity are of a very inferior description.

Part 3.
Widening, &c. of
Streets.

Exhibit, No. 36.

J. McKissock, Esq.
p. 24.

J. Bates, Esq. p. 24.

F. Bea, Esq. p. 24.

J. Bates, Esq. p. 26.

The

The taking of the whole of the premises, as marked on the Promoters' Plan, and included in the Schedule to their Bill, was objected to on the part of George Dunbar, Esq., the proprietor thereof, not upon the ground that the proposed extension would not be an improvement, but that the quantity of ground and buildings sought to be taken and removed were more than sufficient for the making such extension, and would, therefore, as superfluous ground, be within the power enabling the Town Council to make leases thereof, but which, it appeared in evidence, Mr. Dunbar had for a considerable time contemplated the improvement of, when certain leases, now outstanding, shall expire, thereby inflicting, as was alleged, an unnecessary injury upon Mr. Dunbar's property.

H. Russell, Esq.
p. 32.

In our opinion the proposed extension of Talbot-street would be advantageous to the town generally, and the houses to be affected by it are of an inferior description, and many of them much decayed; but this opinion is given subject to the observations contained in a subsequent part of our Report in reference to the purposes contemplated by the Bill, and the power thereby sought for.

With respect to the proposed improvement by the making of a new street from the end of Grattan-street into Waring-street (marked (B.) on Plan), general evidence was given on the part of the Promoters as to the propriety and necessity for such improvement, and the insufficiency of the existing communication through Cotton-court, and also as to the inferior class of buildings which should have to be removed.

Exhibit, No. 36.

J. Bates, Esq. p. 24.
F. Rea, Esq. p. 24.

The making of this new street was opposed on the part of William Bell, Mary Dobbin, and Clotworthy Dobbin, lessees of premises in Waring-street, mentioned in the Schedule to the proposed Bill, on the ground that it was unnecessary, being within 100 feet of a new and wide street already projected (Mary-street), and for which the ground has been purchased, and that the expense of the purchase would far exceed any value to be derived from carrying out the alleged improvement.

G. Ashe, Esq. p. 27.
J. C. Dobbin, Esq.
p. 28.
J. Hoy, Esq. p. 29.

We coincide in opinion with the views of those opposed to this last-mentioned project, and we feel the less difficulty in doing so, inasmuch as a communication, although narrow, already exists between the end of Grattan-street and Waring-street, and there are besides four other streets leading from the northern part of the town into Waring-street, one of which is, as already mentioned, about to be widened.

As regards the taking of the ground and premises at Chichester Quay and Kimekiln Dock, and on both sides of Store-lane (marked (C.) and (D.) on Plan), and specified in the Schedule to the Act, general evidence was given by the Promoters of the advantage to be derived from widening the communication through Store-lane, as connected with the improvements which have been projected by the Harbour Commissioners.

Exhibit, No. 43.
J. Bates, Esq. p. 24.
F. Rea, Esq. p. 24.

The interference with this property was opposed on the part of Thomas Gregg, Esq., owner under the Marquis of Donegal, and also on the part of Robert James Tennent, Esq., his lessee of part of those premises, on the ground that no definite plan of improvement, except the widening of the quays, was shown by the Promoters, and that the breadth of the quays was sufficient for the present and probable future traffic; and also that the quantity of ground sought to be taken by the Bill was more than sufficient for any such improvements.

H. Russell, Esq.
p. 29.
H. Gerrard, Esq.
p. 30.

We having carefully considered the evidence, and having repeated our personal inspection of the ground, buildings, and neighbourhood, are of opinion that the widening of Store-lane, by the removal of so much of the buildings situate on the east side of it as would constitute it a convenient thoroughfare, would meet the requirements of that part of the town under existing circumstances; at the same time we feel bound to state, that if the two adjoining docks were filled in, and the whole block of present buildings removed, the site would be convenient and eligible for the erection of a Custom-house, or other public buildings connected with trade, and which was stated to us to be in contemplation.

Exhibit, No. 38.

H. Garrett, Esq.
p. 30.

The granting compulsory power to purchase the premises in Graham's-entry, Orr's-entry, and Rosemary-street, mentioned in Schedule to Bill (marked (H.) on Plans), was opposed by Robert McKibbin, George C. Hyndman, Jane Montgomery, Margaret Hyndman, and Samuel Moreland; and evidence was given on their part to substantiate such opposition.

No definite plan or object was submitted to us by the Promoters in relation to the said proposed improvement, nor does their Bill disclose any; nevertheless, from a personal inspection of the locality, and having regard to the central situation of the premises, as also to the ground already owned there by the Town Council, and the situation of the public buildings in the neighbourhood, we are of opinion that the removal of the buildings above specified would afford room for considerable ornamental improvement to the town, and would also constitute an eligible site for a new Town Hall, or County House, which the Promoters stated to us it is their intention shortly to erect within the borough, and for which they have already obtained the necessary powers.

J. Bates, Esq. p. 24.
F. Ros, Esq. p. 24.

The other street improvements appear to us to be strictly within the scope of such discretionary powers as ought to be possessed by a public body to which the improvement and general well-being of the town is intrusted, and no case in opposition to them was made before us, and many of them are obviously necessary for sanitary purposes.

Part 2.
Extension of
Markets.

Exhibit, No. 43.

J. Bates, Esq. p. 30.
F. Ros, Esq. p. 35.
W. D. Henderson,
Esq. p. 31.
A. Hill, Esq. p. 32.
A. Gulligan, Esq.
p. 32.
S. M'D. Elliott,
Esq. p. 34.
J. Bates, Esq. p. 31.
Exhibit, No. 6.

As to the second part of this subject of public improvements, namely, the ground to be taken for markets, and which, as well as the ground and premises required for the extension and widening of streets, appear in Schedule (A.) to the Promoter's Bill, we have to observe, that there is no clause in the proposed Bill, nor any definition in the Schedule to it, from which the purposes for which these grounds and premises are sought can be ascertained, save so far as regards the enlargement of Smithfield Market, the purchase of the Butter Market and Montgomery's Market. Distinct evidence was adduced on the part of the Promoters to prove the total inadequacy of the present market accommodation in the borough, and that such is the case appeared to us to be admitted on all hands. To remedy this evil, the Town Council have already contracted for the purchase of the markets existing at the time of their first Improvement Act in 1845, in addition to which they have under said Act a power to take about eight statute acres of ground adjoining May's Market, and by their present Bill they in the first instance seek for powers of extending the limits of Smithfield Market and the Butter Market, and also to acquire by compulsory purchase three several large plots of ground hereafter mentioned, without particularly defining what portions of any of them are to be applied to market purposes.

J. Miller, Esq. p. 38.

The proposed extension of Smithfield Market was opposed by Mr. John Miller, the owner of a considerable property within the boundary of the intended improvement, and who was examined before us on the subject; but notwithstanding the objections urged by him, we are of opinion, that considering the admitted necessity of the enlargement of this market, and the general inferiority of the buildings to be removed, the powers sought for by the Bill in this case should be granted.

J. Smith, Esq. p. 38.

Exhibit, No. 6.

As to the extension of Butter Market, opposition was made, and a witness examined on behalf of Sir Arthur Chichester, against the granting compulsory powers, and he also called upon the agent for the Promoters to have a clause inserted in the Bill for the preservation of his rights as weighmaster of the said market (as the rights of Sir Arthur Chichester as weighmaster are preserved by the Belfast Improvement Act passed in 1845), but the agent of the Promoters objected to any such clause being inserted in the present Bill.

The proposed extension of the said Butter Market was also opposed on the part of Mr. George Crawford Hyndman, as joint owner with Mr. George Kennedy Smith, trustees of certain premises in that locality, who objected to the extended limit of five years for the exercise of the proposed power, and also to the granting a compulsory power, on the ground that the premises and their interest therein would be thereby seriously prejudiced.

We

We are of opinion, from the central situation of the premises in question, that they form an eligible site for a market, and that in order to make them useful for that purpose an extension in the direction proposed would be necessary, and we see no good reason for withholding the powers sought for in that respect by the Bill, subject to the consideration of the length of time in which the Promoters should be compelled to carry out their intended improvement.

The Town Council further adduced evidence to show the eligibility as sites for the establishment of markets, of two several plots of ground, situate, one at the Antrim Road, containing about 15 statute acres, and the other in the vicinity of the Blackstaff River, and comprising about 14 acres. Strenuous opposition was given by several parties to the power to take these grounds; namely, as to the Antrim Road grounds, by Robert James Tennent, and Samuel John MacLurean, Esquires; and as to the plots at the Blackstaff River, by Messrs. Joy. Their opposition was founded on the ineligibility of the situations for markets; the value of the ground for building purposes; and the area being much greater in extent than was at all necessary for market purposes; and there being no clause in the Bill preventing the Town Council leasing it in building lots; as also to the extended period of five years, sought to be taken by the Bill for the compulsory purchase of it.

F. Ros, Esq. p. 35.
S. M'D. White,
Esq. p. 34.
W. Rogers, Esq.
p. 32.

R. J. Tennent, Esq.
p. 33.
R. Adkinson, Esq.
p. 36.

Upon several of these points of objection much evidence was given before us, conflicting in its nature; upon consideration of the whole of which, we are of opinion that powers should be granted to the Town Council for the purchase of one of the said plots of ground, to be appropriated as a horse, cattle, or hay market; and of the two, we are induced to recommend, on the grounds of economy and convenience, that one adjoining the new Antrim Road.

In relation to the lands called May's Field, which the Town Council likewise seek for powers to purchase, as they allege for market accommodation, and which comprise so large a space as 31 statute acres, no opposition was given before us; but we are of opinion, that from the low situation of the ground, much of which would require to be ~~drained or filled up~~, to the depth of two or three feet, before being applicable for market purposes, and from the expense which would necessarily attend the preparation of it, that the compulsory powers of purchase sought by the Bill, and extending over the entire of it, should not be granted, and also that in this as also in the other improvements, so long a term as five years for compulsory purchase is not advisable.

W. Haslugs, Esq.
p. 31.

In the course of the inquiry, it was proposed, on the part of some of the objectors to the Bill, to cross-examine the agent of the Promoters as to the present liabilities of the Town Council, under existing contracts, for the purchase of lands and other improvements, with a view of showing that they were not in a situation to carry out the contemplated improvement and works, within a reasonable period, if the Bill were passed, but which evidence we declined to receive, conceiving that such inquiry was irrelevant to the merits of the case before us; and, in conclusion, we beg also to remark, that in cases where the lands and premises of objectors appeared included in the Schedule to the Bill, we permitted their claims to be investigated without strict legal evidence of ownership, their respective titles not being disputed by the Promoters.

App. p. 2.

We herewith transmit a minute of our proceedings and sittings on this inquiry, together with a list of the witnesses examined before us, and a copy of the notes of their evidence, as also a list of the several plans, sections, and other documents produced and verified before us, to all of which we beg leave to refer as part of our Report.

Dated this 18th day of February 1847 (seven).

Alex. Norman.
G. A. Leach.

APPENDIX.

MINUTES OF PROCEEDINGS.

Wednesday, 3 February 1847.

The Surveying Officers appointed by the Commissioners of Her Majesty's Woods, Forests, &c., under the provisions of the Act 9 & 10 Vict., c. 106, namely, Alexander Norman, Barrister-at-Law, and George Archibald Leach, Captain Royal Engineers, met this day, at ten o'clock, a.m., pursuant to appointment, to hold this Inquiry, in the town of Belfast, in the county of Antrim.

Mr. John Bates, Town Clerk of the Borough of Belfast, and Solicitor for the Promoters of the proposed Bill; Mr. Charles Lanyon, Surveyor for the County of Antrim; Mr. William Hastings, Surveyor of Works to the Town Council of the Borough of Belfast, and several others, were in attendance.

The Act of the 9 & 10 Vict., c. 106, and the Memorandum and Schedule of Instructions from the Commissioners of Woods, Forests, &c. read.

The Surveying Officers, accompanied by the said persons, proceeded to make a local examination and survey of the district which the proposed Act would affect, and of the neighbourhood thereof, and to inspect the streets, houses, and premises situate thereon, and were occupied during the day in a close personal examination of same, and of the proposed improvements thereof.

[Adjourned at Half-past Five o'clock.]

Thursday, 4 February 1847.

The Surveying Officers sat this morning at 10 o'clock in the Town Hall, Poultry Square, in the town of Belfast.

Mr. Robert C. Lee, appointed to take the notes of evidence, was in attendance; Mr. Bates, Town Clerk, and Solicitor for the Promoters of the Bill, and several other persons were also in attendance.

PRELIMINARY EVIDENCE.

Witnesses were sworn and examined to prove that due notice had been given of the time and place of holding the Inquiry.

SUPPLY OF WATER.

The Promoters proceeded with Division I. of Inquiry: "Supply of Water."

Several witnesses were sworn and examined; and plans, sections, and other documents were handed in and verified.

No parties appeared to oppose this branch of the Inquiry.

PAVEMENTS.

Evidence was then produced on the subject of Pavements.

Division III. of Inquiry:—Witnesses were examined, and documentary evidence verified. No persons appeared in opposition on this branch of the Inquiry.

[Adjourned at Half-past Four o'clock.]

Friday, 5 February 1847.

The Surveying Officers sat this morning at 11 o'clock in the Town Hall aforesaid.

PUBLIC EDIFICES, MARKETS, BRIDGES, &c.

The Promoters went into evidence on Division II. of Inquiry, viz. Public Edifices, Markets, Courts of Law, Town Halls, and Buildings.

Lagan Bridge.

Witnesses were sworn and examined, and documents given in evidence as to the proposed purchase of the bridge over the River Lagan from the Lagan Bridge Company. No persons appeared in opposition to this measure.

DRAINAGE, SEWERAGE, AND CLEANSING.*Part 1.—Drainage of the Blackstaff River.*

Evidence was then given on this branch of the Inquiry, as to the proposed drainage of the River Blackstaff, by making a new cut for the channel thereof.

Several witnesses were sworn and examined, and plans and sections produced and verified.

[Adjourned at a Quarter to Five o'clock.]

Saturday, 6 February 1847.

The Surveying Officers sat this morning at 11 o'clock in the Town Hall aforesaid.

Part 1.—Drainage of the Blackstaff—continued.

Further witnesses were examined and documents given in on behalf of the Promoters.

Part 2.—General Sewerage and Cleansing.

Several witnesses were sworn and examined, and plans, sections, and other documents given in evidence on this branch of Inquiry.

[Adjourned at a Quarter to Six o'clock.]

Monday, 8 February 1847.

The Surveying Officers sat this morning at 11 o'clock at the Town Hall aforesaid.

Part 2.—General Sewerage and Cleansing—continued.

Further evidence was adduced on this head, and case closed.

No parties appeared in opposition to the proposed measures.

SUPPLY OF WATER—continued.

Further evidence was given on this head, and case closed.

No parties appeared in opposition.

PUBLIC EDIFICES, MARKETS, BRIDGES, &c.—continued.*Purchase of Markets.*

The Promoters went into evidence on the subject of the purchase by the Town Council of the four existing markets of Belfast from the owners thereof.

Witnesses were examined and documents given in evidence, and case closed.

No person appeared to oppose these purchases.

Drainage of the Blackstaff—continued.

Opposition to the proposed measures.

Messrs. Duffin's Case.

Mr. Henry Garrett appeared as solicitor on behalf of the Messrs. Duffin, proprietors of a mill adjoining the River Blackstaff.

A witness was sworn and examined on their part.

This evidence was objected to by Mr. Bates, on the part of the Promoters, who, without admitting the right of the Messrs. Duffin to the easement which they claim, consents on

the part of the Promoters that a general clause shall be inserted in the Bill, providing for compensation for all parties who may be deprived of, or interfered with in the enjoyment of, any easement to which they may show themselves to be entitled, arising from the diversion of the water of the Blackstaff, or the making of the new cut, conformably to or on the same principle with the provisions as to the taking of the land contained in the Land Clauses Consolidation Act.

Mr. John Morgan's Case.

Mr. Edward O'Rourke appeared as solicitor for Mr. John Morgan, proprietor of a mill adjoining the River Blackstaff.

A witness was sworn and examined on his part.

Mr. Bates, on the part of the Promoters, makes a similar objection to this evidence as he has done to the evidence on the part of the Messrs. Duffin, and, without admitting the right, also consents as before.

Messrs. Joy's Case.

Mr. Edward O'Rourke appeared as solicitor for the Messrs. Joy, proprietors of a paper mill adjoining the River Blackstaff.

Several witnesses were sworn and examined on their part, and a plan of an alternative cut or channel for the river was produced and verified.

Mr. O'Rourke, on the part of Messrs. Joy, proposed to examine the agent of the Promoters as to the liabilities and undertakings of the Town Council, in order to show that they would not be in a condition, within five years, to complete the improvements of the Blackstaff River, whereby the prospects of the Messrs. Joy, in relation to their building ground, would be injured.

The Surveying Officers conceived they were not at liberty to receive the evidence.

DIVISION V.—PUBLIC WAYS AND WALKS, STREETS, SQUARES, AND PARKS.

Part 1.—Widening and Extension of Streets.

Evidence was then gone into on this branch of the Inquiry.

[Adjourned at a Quarter to Five o'clock.]

Tuesday, 9 February 1847.

The Surveying Officers sat this morning at 11 o'clock in the Town Hall aforesaid.

DIVISION V.

Part 1.—Extension and Widening of Streets—continued.

Further evidence was given on this head.

Several witnesses were examined, and documentary evidence given in and verified.

DIVISION V.

Part 2.—Extension of Markets.

The Promoters then went into evidence on this branch of the inquiry.

Several witnesses were examined, and plans and documents given in and verified.

[Adjourned at a Quarter past Five o'clock.]

Wednesday, 10 February 1847.

The Surveying Officers sat this morning at 11 o'clock at the Town Hall aforesaid.

DIVISION V.

Part 2.—Extension of Markets—continued.

Further witnesses examined, and documents given in, and case closed.

OPPOSITION TO EXTENSION OF MARKETS.

Case of Robert James Tennant, Esq.

Mr. Garrett, solicitor, on behalf of Robert James Tennant, Esq., owner of ground shown on Plan, Ex. No. 41, protests against the powers sought by the proposed Bill being granted in reference to said ground,—

1st. Because the Promoters have not by their evidence made a case to show the necessity of taking such ground.

2dly. Because they do not by their Bill confine themselves to the taking of any particular portion of said ground, but reserve a right over the entire; and,

3dly. Because by their present Bill they are not bound to use such ground when taken for markets, but may use same for the purposes of profit or emolument by setting or selling.

A witness was examined on his behalf.

Rebutting Case.

The Promoters went into evidence to rebut the case made by Mr. Tennant. Witnesses were examined on their behalf.

OPPOSITION TO WIDENING AND EXTENSION OF STREETS.

Case of William Bell, Mary Dobbin, and Clotworthy Dobbin.

Mr. Garrett appeared to oppose the Street Improvement Clauses as solicitor for William Bell, trustee of Mary Dobbin; Mary Dobbin, legatee and executrix of Mary Warren, deceased; and Clotworthy Dobbin, lessee of premises in Waring-street, mentioned in Schedule to Bill.

A witness was examined on their behalf.

[Adjourned at a Quarter to Six o'clock.

Thursday, 11 February 1847.

The Surveying Officers sat this morning at 11 o'clock in the Town Hall aforesaid.

OPPOSITION TO EXTENSION OF MARKETS.

Case of Messrs. Joy.

Mr. O'Rourke, as solicitor for Messrs. Joy, opposes the clauses of the Bill with regard to the taking of ground for Markets.

Witnesses were examined on their behalf.

Case of Samuel John MacLurean, Esq.

Mr. James Davis, on behalf of Samuel John MacLurean, esq., opposes the Market Clauses.

Witnesses were examined on his behalf.

Case of Sir Arthur Chichester.

Mr. Elliott, as solicitor for Sir Arthur Chichester, opposed the Market Clauses, and objected to the compulsory powers being exercised against him in reference to the weigh-houses or butter market, off Tomb-street, mentioned in Schedule (A.) to Bill.

A witness was examined on his behalf.

Case of Mr. John Miller.

Mr. John Miller opposes the Bill, on his own behalf, so far as the Market Clauses for the extension of Smithfield are concerned.

A witness was examined on his behalf.

OPPOSITION TO WIDENING OF STREETS.

Case of William Bell, Mary Dobbin, and Others—continued.

Further witnesses were examined on their behalf.

• 124.—So.

Case of Messrs. George Kennedy Smith and George Crawford Hyndman.

Mr. George Kennedy Smith, on behalf of himself and Mr. George Crawford Hyndman, his co-trustee, objects to the compulsory powers sought for by the Bill with reference to premises in Waring-street, to which their names are annexed as lessees in Schedule (A.) to proposed Bill.

A witness was examined on their behalf.

Case of Thomas Gregg, Esq.

Mr. Henry Russell opposed the Street Improvement Clauses, on behalf of Thomas Gregg, Esq.

A witness was examined on his behalf.

Case of George Dunbar, Esq.

Mr. Henry Russell opposed the Street Improvement Clauses, on behalf of George Dunbar, Esq.

A witness was examined on his behalf.

Case of Robert M'Kibben, George Crawford Hyndman, Jane Montgomery, Margaret Hyndman, and Samuel Moreland.

Mr. Garrett appeared to oppose the Street Improvement Clauses, on behalf of Robert M'Kibben, George Crawford Hyndman, Jane Montgomery, Margaret Hyndman, and Samuel Moreland, lessees of premises in Rosemary-street, Graham's-entry, and High-street, as specified in Schedule to Bill.

A witness was examined on their behalf.

Case of Robert James Tennent, Esq.

Mr. Garrett appeared to oppose the Street Improvement Clauses, on behalf of Robert James Tennent, Esq., owner of premises extending from Chichester Quay to Lincolns Dock, but whose name does not appear in the Schedule to the Bill.

A witness was examined on his behalf.

Rebutting Case

The Promoters went into evidence to rebut the case made by the opponents of the Street Improvement Clauses.

A witness was examined on their behalf.

[Adjourned at Half-past Five o'clock.

Friday, 12 February 1847.

The Surveying Officers met this morning at 10 o'clock, and proceeded to read and classify the evidence, and prepare their Report.

Adjourned at five o'clock until eight o'clock in the evening, when they again met and proceeded with their work.

[Adjourned at a Quarter to Twelve o'clock, P. M.

Saturday, 13 February 1847.

The Surveying Officers met this morning at 10 o'clock, and proceeded with the examination of the evidence and preparation of their Report.

PUBLIC WAYS AND STREETS.

Further witnesses were examined on the part of the Promoters, to complete statistical evidence on this head, and case closed.

No other parties appeared in opposition to the proposed measures than have been already mentioned.

The plans, sections, and other documentary evidence were examined by the Surveying Officers, with their instructions.

The Surveying Officers, at half-past three o'clock, closed their sittings on this inquiry.

[Adjourned *sine die*.

Belfast Improvement Act Amendment.

MINUTES OF EVIDENCE

TAKEN BEFORE

A. NORMAN, Esq. BARRISTER-AT-LAW, AND CAPTAIN G. A. LEACH, R.E.

At the Town Hall, Police Buildings, *Belfast*, upon a Preliminary Inquiry respecting the BELFAST IMPROVEMENT ACT AMENDMENT BILL.

John Lennon, sworn; and Examined.

Witness posted a copy of a placard he produces, on Tuesday the 10th January last, on the public places about the town of Belfast.—(The placard was handed in, and marked Exhibit No. 1.)

Belfast
Improvement Act
Amendment.

George Gates, Esq., sworn; and Examined.

Witness saw the advertisement of holding the present inquiry inserted in two of the Belfast newspapers, namely, the "*Northern Whig*," of Tuesday, the 10th of January last, and the "*Belfast Commercial Chronicle*," of Wednesday, the 20th of January 1847.—(Witness produces a copy of each of those newspapers.)

[The two newspapers were handed in, and marked respectively Exhibits No. 2 and 3.]

DIVISION No. I.—SUPPLY OF WATER.

Mr. Robert Pattison, sworn; and Examined.

Is a land surveyor.—(Produces a map of the town of Belfast, made from a map by the Ordnance Department, on an enlarged scale.)—It is on a scale of three chains, or 108 feet to an inch. The map does not show the position of the present waterworks of the town of Belfast, nor their pipes for the supply of water.—(Map marked Exhibit No. 4.)

Mr. William Hastings, sworn; and Examined.

Is surveyor of works to the town council of the borough of Belfast. Procures the water at present for the watering of the streets from pumps; one is at the Queen's Bridge, and another at Richie's Dock; both are at the quays; one, the latter, is at a tank; both are tidal water.

These situations are convenient for certain parts of the town, but the supply is not always forthcoming; the tank, for instance, is filled at high water, and it sometimes is exhausted before it can be filled again.

The town cannot be supplied at all times from either of the three pumps now in use. (Points out the pumps on the map, *fig. 4*.) The first pump adjoins the Queen's Bridge; the second is in a tank adjoining Richie's Dock, filled only at high tide; both these supplies depend on the tide. The third pump is situated at the mill-dam, off Mill-cold. That supply is not constant, owing to certain circumstances, which he cannot clearly explain. The supply depends on various mill streams, and the water is occasionally diverted into other courses by one of them, or is allowed to flow off when the mill is not working. That water is private property; it is not of a pure character; it is frequently filthy and polluted.

These three pumps are not in convenient positions for watering the entire town; several parts of the town are not convenient to any of them. It would be beneficial to the inhabitants if the council had power to obtain the water that they might require for watering the streets at other localities in the town. Witness has a long and intimate knowledge of the town.

Such a supply could be procured by the sinking of pumps and wells in other localities. Believes it would be more convenient and less expensive to get a supply by sinking pumps and wells in other localities.

The supply of water can be made constant from the river, but the expenses of making the supply constant from it would exceed the expense of sinking wells or pumps.

The supply from the river could be kept constant by keeping a passage to the river constantly open; it would be practicable, but very expensive.

That applies to the pump at the Queen's Bridge only, and that pump is only convenient

Belfast
Improvement Act
Amendment.

for certain parts of the town. It was necessary to obtain the consent of the Harbour Commissioners to put the pump at the end of the Dock from where it stood previously.

No pump could be erected anywhere along the stream of the river, so as to keep a constant supply, unless by keeping a passage to it open, except at the extreme ends of the town, where it would be inconvenient for a supply.

There are several springs in Belfast, where water can be procured.

Is not aware of any contract with the water commissioners for a supply of water.

There is a body or corporation called the Belfast Water Commissioners, for the supply of pipe water to the streets. They are elected by the ratepayers; that body is constituted by Act of Parliament.

The general supply of water is in their hands.

Is not aware of any contract with that Company for the supply of water for cleansing or other works.

In point of fact, no water is procured from the commissioners for watering the streets; there is no apparatus for its supply.

Has not measured the depth of water in the pumps at low water; they depend on the tide, winter and summer. In winter they are not required for the streets. This answer applies only to two of them.

Can't say whether the machinery of the Pipe Water Company is sufficient to afford a supply.

There are wells or pumps kept by private individuals, besides those he has mentioned.

There are no wells or pumps for supplying the streets but those he has mentioned.

Those private wells supply water to the inhabitants. It is sold to them, being of a poor character than the council's pumps.

The supply to the inhabitants is from the water supplied by the water commissioners, and from water from private pumps, which latter water is sold.

The water commissioners allow their water to be taken for the extinguishment of fires from fire-plugs in the streets. Can't state the number of fire-plugs.

There are fountains constructed by the water commissioners, for the supply of the poor; can't say their number.

Has made no estimate of the quantity of water required for watering the streets.

The sewers are now flushed by natural, and not artificial, means; these natural means are not adequate.

Is not prepared to offer an opinion on the subject, but thinks that artificial means must be obtained; the subject is under consideration.

Has not considered particularly the subject of the wells and pumps to be constructed.

For the purpose of watering the streets, pumps would be constructed. No specific plan has been prepared, nor is there one to be submitted to the commissioners.

The supply of water which is proposed to be obtained, is chiefly from springs; knows that there is spring water in the locality.

Has formed no estimate of the expense of establishing these pumps or wells; believes on the whole it would be a saving of expense.

John Bates, Esq., sworn; and Examined.

Is town clerk of the borough of Belfast.

The town council have power, under existing Acts, of procuring a supply of water for watering the streets, by contracting for such supply with any company or person.

The foundation of that authority is the Act of the 8th and 9th Vict. cap. 142, "The Belfast Improvement Act."

There is a company to which the corporation could apply under that Act for supply of water, namely, "The Belfast Water Commissioners," incorporated by the 3 Victoria, c. 78. (*Produces their Act, marked Ex. 5.*)

(*Produces a copy of the Belfast Improvement Act, 8 & 9 Vict. c. 142; marked Ex. 6.*)

Is aware of an application having been made by the corporation to the water commissioners for water to water the streets. That application was not complied with, for the reason, as he believes, of the commissioners not being able to give the supply required for the streets without endangering the supply they were bound to give the inhabitants for their houses, and the extinguishment of fires.

No estimate has been furnished of the quantity of water required for the streets.

In the application to the water commissioners no specific quantity was stated; the commissioners being inhabitants of Belfast, could form a tolerable estimate of the quantity required. They were in fact left to form their own estimate of it.

Cannot state the number of pumps or wells which would be required. It is not in witness's department.

Has no doubt that if the town council had power to sink wells and pumps, they would obtain an abundant supply of water.

Water would be wanted for the works of the corporation. The works now in existence to which it is now intended to apply the water are exceedingly few indeed; viz. use in making mortar for building is at this moment the only other purpose to which the supply of water could be required.

In removing old buildings it would be necessary to have a supply to keep down the dust.

From witness's knowledge of the town, conceives it would be expedient and beneficial to have watering troughs in the streets.

The corporation have inserted a clause in the Act from the suggestion of a Humane Society.

The

The corporation have no means of supplying those troughs, save by a contract with the commissioners; whether they can be adequately supplied from the pumps and wells to be made by the corporation, must depend on the localities in which the troughs would be erected, and believes that at the localities on which the corporation have been asked to erect troughs, a supply can be procured.

Does not produce a plan or estimate, or arrangement by the town council for the supply of water to the inhabitants; but will lay before the commissioners at a subsequent stage of the proceedings a written statement of what the town council propose to do with respect to the pumps and wells.

Nor does he submit any detailed or general plan of the existing waterworks of Belfast, or how they can be made available.

The promoters have not prepared the plans and requirements referred to in No. 1 of Schedule of Commissioners' Instructions, because they do not seek for any powers to give a supply of water to the inhabitants, or any other party, and also because they do not seek to interfere in any way with the powers of the Belfast Water Commissioners, the only other body having the supply of water to the inhabitants of Belfast.

The Promoters only seek power to procure water for their own use, the giving of which is now optional with the water commissioners.

Is not aware of any opposition to these powers being given to the council.

John Steedly, D.D., sworn; and Examined.

Is professor in the Belfast college.

Is a member of the Belfast Board of Water Commissioners; has been on it since they got their Act in June 1840.

Is aware of the application to them by the town council to give a supply of water for the streets a year or two ago; they did not absolutely refuse the application. As their water was pure water, and fit for house use, and a less pure kind, such as could be got from the tide, would do for the streets, they suggested to the town council that the less pure could be got at very little trouble.

The water commissioners estimate about six gallons of water a day for each individual, as necessary to be supplied for domestic purposes; that is for culinary uses, and exclusive of breweries, water-closets, and other special supplies.

The apportioned rate in this town is rather high, owing to the difficulty of getting a supply; the commissioners have not therefore looked very closely as yet as to what use the inhabitants put the water to, owing to that circumstance.

There is a scale of charges according to the quantity of water taken.

The smaller the quantity the higher the rate.

Fifteen pence for 1,000 gallons is the highest rate, and it descends for large quantities to either 5d. or 6d.

There was a supply of water for the town before the obtaining of the present Act, but it was deficient in the quantity and the altitude; both defects have been supplied as far as the new is concerned, but the old supply still continues to a very large part of the town, and most of the most expensive parts of the town are still supplied by the old supply.

In getting the new supply, the watering of the streets and water for flushing the sewers was partly taken into consideration; but on the application being made by the town council, the commissioners saw that it would not be judicious or right to give the large supply that would be required of pure water, which would do for culinary and other purposes.

The large supply that would be required for watering the streets was an ingredient in refusing the application. At that time the commissioners had not the experience to know what quantity of water was at their disposal; they had calculations, but not experience.

From witness's experience of the supply, the water could not be supplied for flushing sewers on the new idea on that subject, but it could be supplied for watering the streets, but it would not be judicious to grant the pure water for it. If the proposal were made, witness would vote against giving it. There has always been the best feeling between the water commissioners and the town council.

Witness is not aware of any objection on the part of any member of the water commissioners to the town council getting these powers for watering.

Has been 23 years resident at Belfast, and is a scientific man.

Is aware that there are a great number of pumps and wells in and about Belfast supplied with spring water at Cromack, and at various localities; witness thinks, in all parts of the town; could name the localities, viz. Cromack in the neighbourhood of the barracks, and about that quarter, there are very large and excellent wells of water. Those localities are at opposite and distant ends of the town. The latter is a very high locality, higher he believes than any other part of the town. Spring water is also to be got in the very centre of the town. Knows of spring water being lately got there by sinking at Mr. Kane's brewery, and again at the back of Sandy Row; in fact that goes all round the town.

Believes that Belfast and its vicinity has a great number of springs. In the Cromack district they are numerous to a proverb. If the wells do not he sunk too deep, better springs of water are procured.

Is aware that the supplies to those wells are continuous at all periods of the year. Has never known them to fail, but has never been here in a very dry year.

Has been attending to those matters for 14 or 15 years, and never heard of the wells failing; never heard of the springs which supply the steam-engines failing.

The supply is not greater in winter than in summer.

Belfast
Improvement Act
Amendment.

If wells were sunk 100 feet deep, the water would be brackish. In Cromack district, well sunk 20 or 30 feet, and then bored 20 feet more, would give good water. In higher districts they would require to be sunk 60 feet.

Mr. William Allen, sworn; and Examined.

Is clerk and engineer to the Belfast Water Commissioners. Is aware that the Belfast Water Commissioners declined to supply water for the watering of the streets.

They also declined to supply mills and other applications requiring a very large supply. Is aware that there are a great number of pumps in and about the town of Belfast supplied with spring water. Is acquainted with the geological formation in and about the vicinity. Believes that springs do not abound in quantity. They can be got if borings are made sufficiently deep. Is not aware of any objection to the corporation getting these powers for watering the streets, so far as witness knows, and thinks there is a contrary feeling.

There are four rates of supplying water; they are calculated on the applotment of houses: 5*l.* to 9*l.* is at 8*d.* to the pound; 10*l.* to 19*l.* is 11*d.*; from 20*l.* upwards, 1*s.* 2*d.*; and all buildings not dwelling houses 2*d.* in the pound, provided there is a fire plug in the street.

The commissioners are bound to supply water to the inhabitants and to the fire plugs; all other supplies are voluntary. The commissioners may either give them or refuse them.

Houses under 5*l.* get the water gratis; there are 22 fountains for the poor, and four more to be put up.

In case the commissioners could give water to the town council, thinks they would charge them a special rate, and that it would be very small; has no reason to know it, but merely gives his opinion.

The commissioners give the town council water for exercising their fire brigade gratis.

If the commissioners had granted the corporation application for water, it would only have been given at a special rate by agreement.

The town council could get a supply of water from pumps and wells at a cheaper rate than the commissioners could afford to give it to them at.

Mr. William Hastings, again Examined.

Considers that seven pumps, in addition to those already up, would be necessary for the watering of the streets to answer the purposes of the corporation.

Has not considered that subject with reference to the flushing of sewers, but only as to the street watering.

Has considered the most suitable locality for their erection.

The seven pumps which witness would propose would be as follows:

1st. At May's Market in May-street; 2d. In Durham-street near Christ Church; 3d. Adjoining Montgomery's Market in Castle-lane; 4th. At Smithfield, in the proposed extension of it to the east; 5th. Near the head of Donegal-street at Carrickhill; 6th. At the proposed improvement at the end of Talbot-street; 7th. And at the head of Great George's-street, near North Queen-street.

Mr. William Allen, again Examined.

Is conversant with the expense of sinking pumps in Belfast. Has heard the localities of those which Mr. Hastings has pointed out, and he has adopted the very best localities, as witness knows the strata, and he would have to go from 20 to 30 feet, with the exception of two, that is, Carrickhill and North Queen-street, where he would have to go perhaps 9 to 10 feet further. The sinking of the well and putting up of the pump would, on an average, come to about 25*l.* to 30*l.*; the water obtained would be sufficiently pure; it would decidedly be better water, as regards health, for watering the streets, than that obtained at the quays, which is very filthy. Does not think that the town council could purchase pumps erected at present at a less expense than they could sink them.

DIVISION H.—DRAINAGE, SEWERING, AND CLEANSING.

PART I.—DRAINAGE OF THE BLACKSTAFF RIVER.

Charles Lanyon, again Examined.

Produces plan, Exhibit No. 7.

The plan shows the localities subject to the floods from the River Blackstaff, and also the effects of them.

The plan shows correctly the effects of the floods of the Blackstaff River. It is shaded in blue.

The quantity of ground flooded by the river is an area of 30 acres.

Can't state the number of houses flooded from his own knowledge.

They are inhabited by the poorer classes.

Has seen the basement stories of the houses in Donegal-square and Howard-street flooded with

with water, which he conceived to be caused by the waters of the Blackstaff; knows of no other cause to do so.

Observed this casually two or three years ago; there was at the time a flood in the Blackstaff.

Did not take the depth of water; knows a paper mill on the stream; the Messrs. Joy are the proprietors; there is a weir at the mill, and sluice gates which lift up.

The weir as used draws the land floods back.

The weir is one of the principal causes of the injuries complained of.

The top of the sill of the sluice gates is about 1 foot 3 above on 11 foot tide, which is the ordinary spring tide of the River Lagan.

Extraordinary tides have been known to go up to 13 feet 6 inches, which would go over the level of the sill.

Considers the sluice to be one of the principal causes of the flooding, the main cause of it. If the dam were away the high tide would flood just as much, but only during the time the tide was up.

If the dam were removed, the tide would flow to the same height as it does now, but it would not have the same effect, as the sluice dams up the water from returning.

The weir causes at all time a collection of stagnant water, which is injurious to the health of the inhabitants, and the accumulation of the water also impedes the drainage of the town.

The removal of the weir would facilitate the drainage of the water, which at present is injurious to the inhabitants.

The removal would improve the locality, and would facilitate other improvements, which would add to the health of the locality.

Can't state the number of hours fromebb to flood at the sluice gates, but believes it does not vary much from the ordinary six hours.

An eleven feet tide would flow up as far as the salt water bridge on Sandy-row. That is an ordinary tide.

On an extraordinary spring tide it would flow higher.

A twelve feet spring tide occurs about three times in the year; it would flow higher up.

The Lagan at the foot of High-street, or the town dock, is the nearest point to the centre of the town.

The tidal water is felt about $2\frac{1}{2}$ miles above the town dock.

Does not know the number of sewers that deliver into the Blackstaff, or into the Lagan.

Mr. Daniel Hanna, again Examined.

Produces Plan No. 7.

Has examined the plan, and believes the information upon it to be correct.

Made an actual measurement of the locality with reference to the flooded lines shown on the map.

Knows of several houses in the locality to have been flooded from actual knowledge, and has counted from the levels the number of houses which must be flooded.

The number of houses which will be flooded in the locality is about 380.

Mr. Robert Pattison, Examined.

Lives at the corner of Glengall-street, a portion of the flooded ground. Witness's house was never flooded, within his knowledge, but once, which was since he went to it about a year ago.

The flood came from the junction of the two rivers across Durham-street, and the back water flooded witness's house. 78 houses in that locality were flooded at the time, to witness's knowledge.

Those houses are inhabited by the poorer classes generally.

A child was drowned on that occasion by the flood; knows that from his daughter having seen the child dead.

Cross-examined by *Mr. Edward O'Rourke*, on behalf of Messrs. Joy.

The flood was in the winter of last year; it was during a very high spring tide; can't speak as to the tide, as he did not take levels.

Re-examined.

Can't speak as to whether the flood came from the Blackstaff or from the tide.

Cross-examination resumed.

Can't say if that flooding would have taken place if there had not been a high spring tide; nor whether it was owing to the high spring tide or the sluice gates that the flood took place.

Mr. William Hastings, again Examined.

Produces a section extending along the river Lagan from Ritchie's Dock to the Blackstaff River, showing the positions of the outlets of the different sewers, and also the height of tides at intervals of half an hour, as observed on the 18th April 1846.

The height and fall of tide was taken from information supplied to the Ballast Office; has no doubt of the accuracy of it.

The drains shown are not all the drains, but only the principal ones.—(The section was marked Exhibit 25.)

Belfast.
Improvement Act
Amendment.

Edward Tucker, sworn; and Examined.

Is well acquainted with the locality of the Blackstaff, from the River Lagan to Mr. Boyd's new cut; has given works within 150 yards of the Blackstaff.
Has seen the houses in the locality frequently and considerably flooded from the Blackstaff for the space of about 180 yards.

The floods have gone beyond witness's premises.

There is a dam or stower from witness's premises to the Blackstaff, which should take away all the drainage.

The sewer sometimes rises and overflows the premises of witness, which are an acre in extent and considerably elevated, and were formerly raised by witness in order, if possible, to avoid the flood.

The floods have been more frequent than formerly; there are about two to three in the year.

Witness has suffered to a considerable extent; they always stop witness's works.

Is quite satisfied that the floods are caused by the descent of water from the Blackstaff after a heavy rain.

The floods all have occurred after heavy rain.

It has been stated that the tidal river extends up to the railway at Sandy-row.

The floods at that place could not be less than a height of five feet above the floor of tidal water.

The Blackstaff is a mountain stream.

At the time when witness's premises was flooded has gone down and seen that the river water was considerably below the level of the weir at the paper mill.

Thinks if the weirs were away the floods would not occur, except on occasions of very high tides, and then to no serious extent.

Witness's premises are in a line with the salt water bridge, nearly parallel with it.

Has observed the bed of the river near the weir; its state in summer is very offensive and injurious to health.

Cross-examined by Mr. James Davis, on his own behalf.

Remembers before the railway was constructed; recollects that floods were frequent before then, but witness did not feel their effects so much as latterly.

James Davis, Esq., sworn; and Examined.

Is a solicitor residing in Belfast; has known the Blackstaff River for 35 years; recollects that formerly it was not flooded as now.

That the cause of the flooding is not altogether the flood-gates at the paper mill; it is caused by the waterway being narrowed at the railway, and by two bends of the river being cut out, one at the railway and the other at the house of occupation, and also by the erection of a bridge too narrow in the span and too low; that bridge is on the new Dublin road.

Resided five or six years in a house in Howard-street, a very excellent situation, but had to leave it owing to his family's health; it was flooded every five or six weeks during the winter, from back-water that came up the shore from the Blackstaff River.

The property was materially injured to the proprietor, who did all he could to remedy the evil, by raising the floors.

That house was a large and valuable one, and witness paid £60 a year for it; it was afterwards let at £60, as witness believes.

It was vacant for a long time.

The effects of the floods are not confined to the poorer houses, but extend to some of the best houses in Belfast.

The weir at the paper-mill, when there is a flood in the Blackstaff and in the Lagan, assists in causing the floods.

If the bends in the river were removed, and the arches of the bridge widened, and the channel cut straight, and the banks not raised, witness is of opinion that adjoining premises would be flooded if the weir remained.

The obstructions spoken of are from the salt water bridge down to the paper-mill.

In summer, witness knows of accumulations of filth from the sewers falling into the Blackstaff, collecting above the weir, which are of the most offensive description, and injurious to health.

The removal of the weir would have the effect of letting off that nuisance.

When witness first knew the dam, it spread over a much larger surface of ground than it does at present.

The dam was then in a separate and distinct receptacle from the river.

It covered then three or four acres, or probably much more; does not consider it now a dam.

James Seton Reid, M. D., sworn; and Examined.

Has been dispensing attendant of that part of Belfast through which the Blackstaff flows for a period of about eight years.

In that way acquired a knowledge of the effects of the Blackstaff on the health of the inhabitants.

Always after a flood, inflammatory affections of the lungs and bowels become more pre-
valent.

valent amongst the poor, and if fever was prevalent in the district, it was much increased by the dampness of the houses.

Has seen the state of the river above Joy's dam. There were large collections of filth of animal and vegetable deposit; the effects were most injurious to the health of the locality.

Samuel Brewin, Surgeon, R. N., sworn; and Examined.

Is the medical attendant of the district through which the Blackstaff passes; has been so for the last two months.

Has resided in the vicinity of the pond above the paper-mill weir, for the last three years.

An effluvia in summer constantly arises from the pond above the paper-mill dam, injurious not only to the inhabitants of the immediate locality, but also during the prevalence of certain winds, to the inhabitants of the borough at large.

Witness has a knowledge of the prevalence of the diseases in the locality, arising from humidity arising from the floods, and has himself also known the dwellings of the poor having been flooded by the Blackstaff. There are open ditches which empty at the Dublin road, which must be highly injurious to health.

Mr. John Davison, sworn; and Examined.

Resides near the salt water bridge, about six perch from Mr. Boyd's new cut. Is the owner of property in that neighbourhood; has resided there about 20 years. Is frequently flooded in his premises by the overflowing of the Blackstaff. The occupants of the houses experience great inconvenience from this flooding. The houses are flooded sometimes for two days, and on other occasions from morning till evening. Believes the flooding takes place from the waters of the Blackstaff; has taken means to ascertain it; has been at the foot of the pier at bed-time; the foot of witness's house is within three perch of the river, at the railway arch. Has examined the bed of the river previous to going to bed, and there was not more than four inches of water in the bed of the river; torrents of rain have come on during such nights, and in the morning, when witness was awake by the neighbors, found the water into the court; considered the cause of it the paper mill; went fifty times to the mill, and found the water flowing over the gates, and the tide completely out, and has applied to Mr. Alexander, the foreman at the mill, to lift the gates; at some times a few of them were lifted, at other times more of them were lifted in the morning; on several occasions observed the floods flowing over the gates of the weir, whilst the tide was completely out, so that what is called the tail of the gates was entirely bare of water. Has known the dam of the paper mill upwards of twenty years; it was formerly cleaned out periodically,—mostly every year.

Cross-examined by Mr. Edward O'Rourke, on behalf of Messrs. Joy.

The weight of the water from the river would be greater than the strength of the tide, and would keep it back if the gates were not there. The sluice gates are so constructed that they lift with the tide to let it in, and afterwards close and keep it in. Can't tell how far the river flows up the Blackstaff. Does not know how high the tide rises at high water. It is witness's opinion, that if the sluices were properly attended to, the overflowing would not be to such an extent, but if the gates were away, it is, and always has been, witness's opinion that there would not be flood at all. It is witness's opinion, that if the sluices were removed, there would be no flooding upon the occasions upon which he made the observations about the raising of the floods; there had been rains. Upon the occasions on which witness went down to the paper mill and perceived the tide lower outside than the water in the mill dam; he was led to do so from the floods, and wanted them to lift the gates.

Mr. Daniel Hanna, again Examined.

Produces a section showing the levels of the highest land flood, and also the levels of the highest tide. Witness prepared the levels. It is accurately prepared as to the levels. The scale is 100 feet longitudinal, 10 feet vertical.

The red colouring shows the highest water mark of a tidal flood; the blue line shows the highest land flood.—(Section marked Ex. No. 26.)

Charles Lanyon, again Examined.

In Witness's opinion the flooding of the Blackstaff River is principally produced by the weir at the paper mill preventing the discharge of the waters not only at high water, but at low water.

If the weir were away, there would be sufficient area for the water to flow through to clear the Blackstaff, whether it were high or low water; that is, the current of the Blackstaff would continue to flow, notwithstanding the rise of the tide, if the weir were away.

The tide would diminish the velocity of the flow of the Blackstaff, but would not stop its flow.

If the tide even rose to 14 feet 4 inches, which is the highest known tide, there would still be a sufficient discharge in the Blackstaff to free it from the waters of a land flood if the weir were away, and if the present intended improvements were made.

The weir at present altogether prevents the running out of the river water. The river at present, instead of having the whole area to flow through, has, owing to the weir, only a

space of one foot three inches to flow through, until it rises sufficiently to pass over the weir or sluice altogether.

The circuitous channel of the Blackstaff and the construction of some of the bridges also contribute to the flooding, but the weir at the paper mill is the principal cause of it.

Mr. George Smith, sworn; and Examined.

Is engineer to the Belfast Board or corporation for the improvement of the port and harbour of Belfast.—(*Evidence of Mr. William Hastings as to height and rise, and fall of the tide, read to Witness.*)

That evidence is correct.

Considers the principal causes of the floodings in the Blackstaff are, in the first instance, the tortuous course of the channel; secondly, its incapacity; and thirdly, the dam at the paper mill. Cannot say which is the principal cause. Should rather say it is the tortuous course, added to the insufficiency of the area of the channel, but only gives this as his opinion, never having surveyed the stream with regard to the cause of the flooding. The removal of the dam would not prevent the Blackstaff being flooded in the upper part of it, the houses about Sandy-row, above Durham-street, that is, in the present state of the Blackstaff.

The removal of the dam would lessen the flooding at the upper part of the river at the place mentioned by witness.

The effect of the weir at the paper mill impedes the discharge of the drainage of the town of Belfast.

The weir occasions a collection of filth in the bed of the river.

Cross-examined by Mr. O'Rourke, on behalf of Messrs. Joy.

Has not examined Mulholland's weir at Durham-street.

The weir at the paper mills impedes the drainage of all the lower part of the borough, from the Lagan up to Boyd's.

Has examined the plan of the proposed new cut.

In the time of high spring tides and heavy rains, if the weir were removed, and the new cut made with banks high enough, floods, in witness's opinion, would not arise.

Re-examined.

If the weir at the paper mills were removed, and the course of the stream straightened, the floodings at the salt water bridge would be considerably improved.

Is of opinion that notwithstanding the prevalence of high tides the water would discharge itself down the new cut into the River Lagan. At present there is only 20 feet area of discharge when the water is at the level of the top beam of the weir at the paper mills. The evidence is that the floods rise 21 inches above that, then there is a discharge of 37 feet by 21 inches in addition.

When witness last inspected the weir at the paper mills, several of the gates were fastened up, so that they could not be opened for either ingress or egress of water.

The lower gates were under water at the stream side, but bare at the tide side, the tide being out; they were not open.

Charles Lanyon, Esq., again Examined.

Produces the plan already given in evidence (Exhibit No. 7); also produces plan (Exhibit No 15), also produces section Exhibit No 17.

Cross-examined by Mr. O'Rourke, on behalf of Messrs. Joy.

Has made an estimate of the cost of the new cut.

The principal cause of the flooding of the River Blackstaff is the weir at the paper mill, its tortuous course of the channel, and of the insufficiency of the discharges at the bridges.

Does not think there would be any flooding of the Blackstaff if the new cut were made.

Has not taken into his consideration the precise time it would take to carry out the proposed plan; those things depend on the time taken by juries, and other things. If it be the time to complete the construction of the works, witness can speak to it. The whole of it might be executed within six months, so far as regards the construction of the works.

On the plan witness shows how it is proposed to connect the present sewers that empty into the Blackstaff with the new cut, so far as he is aware of their existence. There are three of the streets shown as emptying into the Blackstaff which witness believes are the whole of the street sewers. Witness does not know as to private sewers.

Does not know whether it is proposed to take away the mill, but it is proposed to take away the weir. It is not proposed to widen the cut at the weir, but merely to remove the weir.

Has not provided for the filling up of the present channel.

The limit of deviation extends around the dam, so as to give the corporation the power of filling it up.

If the dam were drained and a new cut made it would be filled up so as not to become a nuisance.

Cross-examined by Mr. Garrett, for Messrs. Duffin.

Belfast
Improvement Act
Amendment.

Is aware of the situation of the Messrs. Duffin's factory.
No provision has been made for supplying the water of the Blackstaff to them.
Has not considered whether they could be supplied after the straightening of the channel, but there could be no difficulty in doing so.
The level of the proposed cut would be about two feet eight inches lower than the level of the Blackstaff at the nearest point to Messrs. Duffin's factory.

John Bates, Esq., again Examined.

The promoters of the present measure are the town council of the borough of Belfast.
The opponents of the Bill, so far as regards the projected change in the Blackstaff River, are, to witness's knowledge and belief, only the Messrs. Joy, the Messrs. Duffin, John Morgan, and Edward O'Rourke. The ground of the opposition of Messrs. Joy is, as witness understands, interference with the weir and mill holding of Messrs. Duffin, in reference to an easement which they claim of a supply of water to their mill; of John Morgan on the same ground; and is unable to state the ground of Mr. O'Rourke's opposition. Witness is not aware of any opposition to the general powers for drainage, sewerage, and cleansing contained in the Bill.

As to persons favourable to the Bill, witness produces a memorial purporting to be signed by 198 inhabitants of the locality adjoining the Blackstaff River, the signatures of some of whom witness can prove.

It was presented to the town council on the 19th October 1846.

Proves the handwriting of Andrew Darlman, John Boyd, and John Fisher. (Marked Ex. No. 27.)

Charles Lanyon, Esq., again Examined.

Has made an estimate of the cost of the new cut; the estimate of the purchase of ground is 5,440*l.*

The cost of the works is 3,635*l.*; total 9,075*l.*

It includes the cost of the continuation of existing drains to the new cut.

Cross-examined by the Mr. O'Rourke, for the Messrs. Joy.

That estimate does not include future sewerage, nor does it provide for Messrs. Duffin.

It includes compensation to be made to the Messrs. Joy for the loss of their weir, but not the compensation to be made to the Messrs. Duffin or Morgan.

OPPOSITION TO THE DRAINAGE OF THE BLACKSTAFF RIVER.

Messrs. Duffin's Case.

Mr. Adam Duffin, sworn; and Examined.

Is joint proprietor of a mill adjoining to Blackstaff River. It is a tow spinning mill, with steam power; uses the water for the supply of the steam power; it is supplied from the Blackstaff River, which bounds his premises at one side. The water used in the mill is exclusively obtained from the Blackstaff.

Was served with no notice by the promoters of the Bill as to the intended alteration in Blackstaff River.

Knows Mr. John Morgan's mill; it adjoins witness's mill; it abuts on the river Blackstaff.

Mr. John Morgan's Case.

Edward O'Rourke, Esq. sworn; and Examined.

Knows Mr. John Morgan's mill; it adjoins Messrs. Duffin's mill; it abuts on the Blackstaff. He uses water on his premises. It is from the Blackstaff he is supplied with water. It is by a well sunk on the edge of the river, and fed from it. It is about seven feet deep.

Between the river and the well there is a stone drain for the water to pass through.

Mr. Morgan has no other supply of water for his mill than what he derives from the Blackstaff.

Messrs. Joy's Case.

Mr. Richard Atkinson, sworn; and Examined.

Knows the weir at the Messrs. Joy's paper mill.

The Messrs. Joy receive rent for the mill.

Is generally acquainted with the building ground and property of the Messrs. Joy; pointed out Messrs. Joy's building ground to Mr. Thomas Walsh, a surveyor.

Belfast
Improvement Act
Amendment.

Patrick McKee, sworn; and Examined.

Knows the paper mill and the weir of Messrs. Joy; has been there, and has known them for the last forty years.

The mill was at one time wrought by both water and steam; but it is now wrought by water-power only. If the weir was removed there would not be sufficient water to work the mill.

The gates are the same as they have been for the last 40 years; there are eight of them upon it.

Has seen the tide rise over the foot boards or gangways of its gates, but never over the stock boards, which is about two feet higher than the gangway.

Cross-examined by Promoters.

Knew the mill 40 years ago; there was a pretty good sized dam there then; the dam extended as far as Hamilton-street, along Joy-street, as far as Dr. Cooke's Meeting-house; the edge of it came along by Cromack-street, by May's bridge; and at the other side it extended to the ground of Mr. Adam Moles, called the Mill-field.

The steam power is taken down for some years. The mill is always still working a little. It works as much as the water power will allow. The mill is not in constant work, as the tide keeps it in back water at times. It works every tide when the tide leaves it. The mill has only one wheel.

Mr. Thomas Walsh, sworn; and Examined.

Is a surveyor; made the map which he now produces. It is taken from a tracing from a map in the possession of the town council, and is correctly copied from it.

Has correctly set forth the building ground of Messrs. Joy from the information obtained from Mr. Richard Atkinson. Witness viewed the ground, but did not survey it. It describes the different strips of ground correctly, as pointed out to witness.—(Marked Exhibit No. 30.)

Has examined very minutely the present channel of the Blackstaff River; has not taken the levels of it.

Knows the district, which is occasionally flooded. It is at Dushum-street, and at the ground belonging to Mr. Mullinolland.

Has made observations of the river during times of flood. From such observation, and his experience as a surveyor, is able to form an opinion as to the cause of its flooding.

The principal cause of the flooding is from the incapacity of the present channel of the river and the arches of the bridge at the new Dublin road being too narrow to let off the water of the land flood.

He conceives the alternative cut marked on plan (Ex. No. 30.) by the blue dotted line, would answer equally well for the purpose of drainage with that proposed by Mr. Lanyon.

The alternative cut is longer by 140 feet than the one proposed by Mr. Lanyon. It would take up about half the building ground that Mr. Lanyon's would; a large portion of witness's cut would be made by improving the present bed of the river.

Mr. Lanyon's cut would be much more expensive than the one proposed by witness, as Mr. Lanyon's would require an additional bridge, and would take up much more building ground. Witness's cut takes the channel of the river, and by widening and deepening a little, would save 800 feet of cutting. Could improve the present channel without diverting the stream into another course till the works were made.

Does not know what depth it would be necessary to make in the new channel, as he has not taken the levels of it.

The alternative cut is within the limits of deviation sought for by the town council.

Cross-examined by the Promoters.

The weir may assist the obstruction of the water, but does not think it the principal cause.

The weir throws up the back water. If the alternative cut were made, and the weir not taken away, the floods would still take place.

Witness's estimate of the saving of expense was made from the calculation of the difference saved in the length of the cuttings, and not from any actual survey of the ground.

Thinks the improvement which he proposes in the channel could be made without diverting the water from the channel.

John Bates, Esq., again Examined.

The first Bill which was got passed for the town council was in 1845. Can't state the expense of obtaining it.

PART II.—SEWERAGE AND CLEANING.

Belfast
Improvement Act
Amendment.

Mr. William Hastings, again Examined.

Plan, Ex. No. 4, produced.

The plan shows the natural drainage of the borough by river streams and open channels.

It also shows the artificial drainage, including main sewers, principal branch drains, and all street drains.

It shows also contour lines.

Plan, Ex. No. 7, proved yesterday, together with Ex. No. 4, were then handed in and given in evidence in reference to the sewerage inquiry.

Charles Lanyon, Esq., County Surveyor, sworn; and Examined.

Is a civil engineer and county surveyor for Antrim; produces a plan on a scale of six inches to a mile, showing the course of all the rivers, streams, and natural channels for drainage, passing by or through the town, and course of the same for one mile above the town, to the river and harbour.

The plan was marked Ex. 16.

Mr. Daniel Hanna, again Examined.

Produces three sections, on a scale of 200 feet to one inch, horizontal distance, and 20 feet to an inch, vertical distance, of the natural channels of drainage of the borough.

The sections, three in number, were marked respectively Exs. Nos. 16, 17, and 18.

Mr. William Hastings, again Examined.

Produces five sections, showing the principal drainage sewers upon a scale of 100 feet to an inch, horizontal distance, and a vertical scale ten times greater; the datum level is the sill of the new graving dock.

The five sections were marked, Exs. No. 19 to 23, inclusive.

Charles Lanyon, Esq., again Examined.

The plans handed in by Mr. Hanna show the cross sections of the rivers and streams.

Mr. William Hastings, again Examined.

Produces a section made by him, showing the sizes, shapes, and substance of the sewers and drains at present existing in the borough.

Section marked Ex. 24.

The datum level of the contour lines on plan, Ex. No. 4, is the same as on plan, Ex. No. 7.

The section No. 24, refers to plan No. 4. Nos. 1, 2, 3, 4 are first-class sewers, and are shown on plan, Ex. 4, by two strong blue lines. Nos. 5, 6, and 7 are second-class sewers, and are shown on plan No. 4, by a strong and a light blue line. Nos. 8, 9, 10, 11, 12, 13 are third-class sewers, and are shown on plan No. 4, by a single blue line.

Has prepared a statement of the rise and fall of tides, and of the ordinary height of spring tides; prepared it from information obtained at the Ballast-office, from the engineer of that corporation; none of it is obtained from actual observation; believes the sources from which he obtained the information that it is correct; believes it is correct from his personal knowledge of the rise and fall of tides at Belfast.

The datum level is the sill of the new graving dock; believes the tide flows at the Queen's Bridge for six hours, and ebbs for six hours.

The highest tide recorded at Belfast occurred on the 14th January 1840, when it rose 14 feet 4 $\frac{1}{2}$ inches above the sill of new graving dock.The lowest ebb was six inches below the same point, giving the extreme difference between flow and ebb 14 feet 10 $\frac{1}{2}$ inches.

Has obtained this information from Mr. Smith, the engineer of the Ballast Board.

The average height of spring tides is 10 feet 10 inches above datum level, and average ebb is 1 foot 9 $\frac{1}{2}$ inches above datum, that is, at spring tide, giving the average rise of spring tides 9 feet and $\frac{1}{2}$ of an inch.

The average height of neap tides is 9 feet 3 inches above datum, and the average ebb is 2 feet 8 inches above datum, giving the average rise of neap tides at 6 feet 6 inches.

John Bates, Esq., again Examined.

The present sewerage of the town of Belfast is at present conducted under the authority of the town council, and the Act regulating their authority is the Belfast Improvement Act, 5 & 9 Vict. c. 142 (Ex. No. 6). The town council is elected under the provisions of the Irish Municipal Corporation Act, by the burgesses of the borough.

The names of the present town council and their professions are:—

MINUTES OF EVIDENCE ON THE

Belfast
Improvement Act
Amendment.

DOCK WARD.

Alderman	-	Andrew Mulholland	-	Mount Collyr	-	J. P. and flax-spinner.
Ditto	-	John Harrison	-	Merton	-	Merchant
Councillor	-	Robert Langtry	-	Fort William	-	Ship-owner and merchant.
Ditto	-	David Grainger	-	Henry-street	-	Ship-owner and merchant.
Ditto	-	John Knox	-	North Queen-street	-	(No profession) gentleman.
Ditto	-	Frederick Lewis	-	Great George-street	-	Merchant
Ditto	-	Robert S. Leppen	-	Abbotsford-place	-	Cotton-spinner.
Ditto	-	Samuel Thompson	-	Alfred-street	-	Merchant and bank director.

SAINT ANNE'S WARD.

Alderman	-	William McConnell	-	Commercial-court	-	Merchant.
Ditto	-	John Potts	-	York-street	-	Merchant.
Councillor	-	William Ewart, jun.	-	Donegal-street	-	Merchant.
Ditto	-	John Black	-	Donegal-street	-	(No profession) merchant.
Ditto	-	Joseph Young	-	Waring-street	-	Woollen-draper.
Ditto	-	James Sterling	-	Clarence-place	-	Merchant.
Ditto	-	Hill Hamilton	-	Mount Vernon	-	Esquire (no profession).
Ditto	-	James Coleman	-	Donegal-street	-	Wine and wholesale spirit merchant.

SMITHFIELD WARD.

Alderman	-	John Kane	-	Turf Lodge	-	-- Brewer, wine merchant, and glass manufacturer.
Ditto	-	Samuel Nelson	-	Bollygomartin	-	Merchant.
Councillor	-	George Saffron	-	College-square	-	Gentleman (no profession).
Ditto	-	Samuel McCannell	-	North-street	-	Grocer and ship-owner.
Ditto	-	Thomas McCannell	-	King-street	-	Tanner.
Ditto	-	James Hart	-	College-square	-	Muslin manufacturer.
Ditto	-	William Gillilan	-	Wellington-place	-	-- Merchant and Commission agent.
Ditto	-	Robert Magye	-	Donegal-square	-	Gentleman (no profession).

SAINT GEORGE'S WARD.

Alderman	-	James Crawford	-	Donegal-square	-	Wine merchant.
Ditto	-	William Hamilton	-	Anno-street	-	Grocer and ship-owner.
Councillor	-	Philip Johnston	-	Waring-street	-	Grocer.
Ditto	-	John Cudde	-	Church-lane	-	Merchant.
Ditto	-	William Carson	-	Howard-street	-	Grocer.
Ditto	-	James Lennon	-	Hanover-quay	-	Ship-owner.
Ditto	-	William McGee	-	Donegal-square	-	Doctor of medicine.
Ditto	-	John G. Richardson	-	Donegal-place	-	Merchant.

CROMAC WARD.

Alderman	-	Samuel G. Fenton	-	College-square	-	J. P. merchant.
Ditto	-	George Dunbar	-	Donegal-square	-	Esq., J. P.
Councillor	-	John B. Shannon	-	Chichester-street	-	Gentleman (no profession).
Ditto	-	Adam Hill	-	Queen-street	-	Merchant.
Ditto	-	John Lindsay	-	Donegal-place	-	Merchant.
Ditto	-	John Pim	-	Pakenham-place	-	Gentleman (no profession).
Ditto	-	Charles Thompson	-	Arthur-street	-	Gentleman (no profession).
Ditto	-	Hutcheson Posnet	-	Rose Lodge	-	Receiver of rents.

Mr. William Hastings, again Examined.

Furnishes a statement of the names and numbers of the surveyors and other officers of his department in the corporation; their salaries and duties; witness's department comprises all the duties connected with the sewerage and drainage, but not of scavenging of the borough; the discharge of the duties of witness's department also extends to paving.

Surety

Surveyor of Works.—The duties of this office are to superintend the laying out, levelling, and formation of streets; to lay out and superintend the construction and repairs of pavements, sewers, and matters connected with them; to prepare notices for works to be ordered by the council, as paving, sewerage, and enclosing waste ground, measuring and apportioning the works when executed by the council; to grant permits for the raising of pavement, for making private drains, laying water-pipes, and other purposes; to grant permits for the erection of ladders and scaffolding in streets; to direct the putting up of new lamps when ordered; to watch the erection, alterations, and state of repairs of buildings, with a view to prevent encroachment on streets, and danger to the inhabitants; and to enforce compliance generally with building regulations; to make such plans, sections, and estimates as may be required, and to report weekly to the committee of the town council on police affairs, under whose control those duties are performed, and from whom the surveyor of works receives his orders. Salary, 150*l.* per annum.

Surveyor's Assistant.—His duties are to keep an account of the time of men and horses employed in the works; visiting them regularly in the course of each day, and making a return of their number, and of the time wrought by each, to the surveyor and police accountant; to convey orders to the workmen; to have in charge the tools and implements belonging to the council which are used in the works; to observe and report to the surveyor the state of repairs of streets, erection and alterations of buildings, and other matters subject to the police regulations; to keep books for ascertaining the expenditure in different works; and to assist the surveyor generally in the duties of his office. Salary, 80*l.* per annum.

Foreman.—The duties of the foreman are similar to those of the surveyor's assistant, with this exception, that those of the latter are chiefly in the office, and of the former with the workmen; he has also to inspect regularly the construction of buildings within the borough, with a view to ascertain that they are in accordance with the building regulations; and to superintend the execution of works contracted for by the council. Salary, 24*s.* per week.

Yard-keeper.—Has in charge the yard in which the paving and other materials for the works belonging to the council are kept. His duties are to keep an account of the quantity of materials received into the yard, when purchased and issued to the works; and to make a return every morning to the surveyor of works, of the receipts and issues of the previous day. Salary, 12*s.* 6*d.* per week.

John Bates, Esq., again Examined.

The surface scavenging of the borough of Belfast is conducted by the town council. The town council appoint a sub-committee to attend to that department, and the committee appoint persons to execute the works. The management is conjoined with that of the sewers and pavement, but it is not conducted by the same subordinate officers as conduct the sewers and pavement.

Mr. William Hastings, again Examined.

The total cost of main sewers can only be given up to the end of 1846; it is as follows, from April 1840 to the end of 1846.

The total cost of main sewers made at the public expense, and completed in the following years is, as nearly as can be estimated, as follows:

	£.	s.	d.	£.	s.	d.
1840, from April - - - -	37	14	2			
1841 " " - - - -	586	6	9			
1842 " " - - - -	65	19	5			
1843 " " - - - -	334	-	4			
1844 " " - - - -	385	1	4			
1845 " " - - - -	296	10	10			
1846 " " - - - -	33	5	4			
				1,738	16	2

Cost of sewers made by the public authorities
at the expense of private individuals:

	£.	s.	d.	£.	s.	d.
1840, from April - - - -	2	8	2			
1841 " " - - - -	13	4	-			
1843 " " - - - -	49	5	8			
1844 " " - - - -	11	16	2			
1845 " " - - - -	12	7	6			
1846 " " - - - -	41	18	3			
				120	19	6
	£.			1,859	17	8

Has no means of estimating the cost of sewers prior to April 1840; could only do so by measuring the sewers, and putting a value upon them. It would be difficult to do so.

Mr. William Browne, sworn; and Examined.

Is assistant surveyor of the town council; has made a statement of the repairs, additions, &c. to sewers and drains, and also a statement of the salaries and wages respecting same.

The amount of the repairs and additions, &c. to sewers and drains for the year 1845, ending 31st December, is 184 l. 2 s. 1 d.; ditto, ending 31st December 1846, 118 l. 11 s. 9 d. That is exclusive of original cost of new sewers.

The amount of salaries and wages for the year 1845, ending same day, is 88 l. 12 s. 4 1/2 d.; for 1846, 87 l. 5 s. 8 d. This is included in the amount given as the cost of repairs and additions, but is exclusive of the salaries of the officers of the department.

The repairs and additions were made under the superintendence of the officers of the town council; the return of the cost only includes the expense of materials and workmen's wages.

John Bates, Esq. again Examined.

There is no rate or other income collected by the town council with respect to the management of sewers and drains alone.

The rent and taxes connected with that branch are included in the general item of rent and taxes of the corporation.

Mr. William Hastings, again Examined.

There is no income derived by the town council from sewers and drains alone, with the exception of a sum of 13 l. 16 s. 11 d. paid by customs.

There are no rates for sewerage alone in the borough; it is included in the general rate levied under the Town Improvement Act.

No person is allowed to make any drain in or under any street, so as to interfere or communicate with any drain or sewer under the control of the council, without the previous consent of the council's surveyor.

This is under the 96th section of the Town Improvement Act.

There is a rule or order of the town council with respect to granting or refusing such permission; viz. that the surveyor may grant permission for the sinking of private drains or sewers.

The soil taken from the sewers is carted to the general manure yard, but has not as yet yielded profit; it is only taken from them when they are opened to remove obstructions. Except from the sale of some, when mixed with solid manure in the manure yard, no profit is derived from it.

The council have power under the 96th section of the Town Improvement Act, to order the construction of house drains. No general regulations respecting them have been made, the construction of street sewers and house drains being under consideration. Persons desirous of making private drains from their premises to the public sewers obtain permission to open the streets for that purpose on application at the office of the surveyor of works, when a small sum of money is deposited as a security that the pavement of the streets will be made good. This deposit is returned when it is ascertained that such is the case; no fee is required for the permission.

Parties requiring private drains generally employ their own workmen. On the 8th Oct. 1845 the committee of the town council for police affairs resolved, "That parties who are about to make private or main sewers in streets, and wish to contract with the board, may have them done on depositing the costs, as in the case of paving streets." This had been the practice previously with respect to paving and making main sewers in streets, but not with respect to private drains.

The cost of private drains of four inch brickwork and 14 inches internal diameter, is about 2 s. per running yard. These drains are seldom or never trapped.

Orders have been issued by the council according to the 72d & 77th sections of the Town Improvement Act, for constructing sewers in connexion with the paving of the following streets:

1st.—In Glengal-street a sewer of brickwork 3 feet high, and 2 feet 6 inches in the clear, of elliptic form; the brickwork is to be 4 1/2 inches thick in the top and bottom of the sewer, three courses on each side to be 9 inches thick.

This sewer has been made by contract at 38 s. per perch of 21 feet, or 5 s. 5 1/2 d. per lineal yard.

2d.—In each of the following streets, viz.: Hutchinson-street, Stanley-street, Callington-street, Annetta-street, and Ryndach-street, a sewer of brickwork 2 feet 6 inches high, and 2 feet wide in the clear, similar in form and construction to that before described. These sewers will cost from 4 s. to 4 s. 6 d. per lineal yard.

3d.—In South Charles-street and a street off Townsend-street, sewers of 4 1/2 inch brickwork, 1 foot 9 inches high, and 1 foot 6 inches in the clear, of elliptic form; the cost of these sewers will be about 3 s. per running yard.

In each of the above streets the gully shoots are to be made circular in section, of 4 1/2 inch brickwork, and 14 inches wide in the clear, the cost of which will be on an average 2 s. per running yard, exclusive of the metal grating and the brickwork of the eye-hole over which the gratings are placed.

No traps are directed to be executed in any of these streets. Traps are seldom placed except

except underneath gully gratings from which offensive effluvia are expected or found to proceed.

The trap used for the gully shoots consists of a small square cistern of brickwork, built underneath the grating, the bottom of which is 1 foot 6 inches below the bottom of the gully shoot; a flag is set vertically in the cistern, dividing it into two parts, one in connexion with the grating and the other with the drain; the lower edge of the flag is three inches below the bottom of the drain, so that water flowing off the street fills the cistern and rises three inches on the flag before any passes off, thus preventing the egress of effluvia from the sewer.

The mode of cleansing the sewers is to make openings over them in the pavement about six feet apart, remove the brickwork from the crown of the sewer, and by means of shovels and scrapers take out the soil, which is laid upon the street and afterwards carted away. One large sewer was cleansed by men in the sewer collecting the soil in wheelbarrows and removing it to the manholes made for that purpose, when it was raised to the street by means of buckets.

There is no apparatus employed for flushing or scouring the sewers, no application or appropriation of the liquid manure from the sewers.

Believes from the situations of the streams with regard to the town that a flushing apparatus could be constructed for cleansing the sewers in the greater part of the town.

John Bates, Esq., again Examined.

There are two methods at present in use for removing the surface scavenging. The town has been divided into two districts; one of these districts is cleansed by contract and the other by labourers employed by the town council, an officer appointed by the town council, called a street inspector, having the superintendence of each district.

The manure is swept up, and carted to the manure yards. The council have in use one sweeping machine, but the work generally is done by sweepers and carts. The sweeping machine has not given satisfaction, but witness does not think that it has yet had a sufficient trial.

There are regulations as to sweeping in the roads entered into by the contractors with regard to the districts to be swept by them; some of them are to be swept daily; some every second or third day, according as the contract is entered into.

The inhabitants are bound to sweep the footways; where there are no houses, the town council or the contractors do so. The contractors are bound to cleanse the pathways opposite to vacant premises, dead walks, and places of worship.

The surface refuse is collected into yards provided by the council; one of the yards is within the town, and the other is just on the margin of the boundary of the borough, on the Antrim side. The yard which is within the town is on a portion of ground lately reclaimed from the sea in that part of the borough which is within the county of Down.

Can't say that there would not be effluvia from these yards, but the council have received no complaints about them.

One of the yards is situate so near to houses, that if there were effluvia from it, same would be injurious to the health of the locality. The streets are watered on occasion require.

Mr. William Hastings, again Examined.

There are no public cesspools in the borough.

Mr. William Crozier, sworn; and Examined.

Is a street inspector to the corporation of Belfast; can furnish a statement of the number of streets generally watered in Belfast; they amount to 56; the cost is about 14 l. 8 s. a week for watering streets; the watering commences about the month of March, and continues to September, that is, on an average.

John Bates, Esq., again Examined.

The cost of watering the streets is levied by means of the police rate, the general tax imposed by the Belfast Improvement Act.

Mr. William Crozier, again Examined.

Is a street inspector; his duties are to see that his district of the town is kept clean, and also to remove obstructions in the streets. There is another inspector, Mr. Hamilton Fisher; he has a different district from witness. The two districts comprise the borough.

The regulations of his office are to cleanse by brooms and scrapers; afterwards to put the refuse into carts, and remove to public manure yards. The entries are cleaned out by men with wheelbarrows. The cleansing of the streets depends on the situation or the width of the street. Several of the streets are swept every day; about 24 are swept thus often. These streets are narrow, and generally paved; not macadamized. Those are in the poorer districts of the town.

Streets of a first-class rank, such as Donegal-street, Donegal-square, &c. are swept, on an average, about once a fortnight; these are macadamized streets.

John Bates, Esq., again Examined.

Belfast Improvement Act Amendment.

Some complaints have been made to the town council about effluvia from house drains, gully shoots, deposits of manure, and stagnant pools of the description after stated; universal complaint is made with respect to the Blackstaff river; there is also one pool containing water for the supply of the steam-engine, respecting which complaints have been made by the persons residing in the immediate locality, but is not aware of any complaints with respect to effluvia from house drains or gully shoots, with the exception of two or three cases, which the committee of the town council ordered to be remedied.

There have been many complaints with respect to the escape of gas.

Is not aware of any complaints with respect to deposits of manure.

The street inspectors are directed to look after public nuisances.

The body appropriating the sewers of the town is the town council, and under the rights and powers contained in the Act of the 8 & 11 Vict. c. 142.

The money by which the drainage of the Blackstaff is to be effected, and the other provisions of the Bill with regard to drainage, sewerage and cleansing, are the funds authorized to be borrowed by the Belfast Improvement Acts of 1845 and 1846, and the rates authorized to be levied under the first of those Acts.

Witness refers to clause No. 37 of the proposed Bill, and states that the landlord of the premises is to pay for such compulsory sewerage intended by that clause in the Bill.

The owner of all houses, previous to constructing drains, must obtain the consent of the town council, which is granted through the surveyor; which is granted in all ordinary cases as a matter of course, and there is no fee payable for the permission.

The town council seek by the 41st clause of their Bill, to secure or compel the trapping of all house drains.

The council of the borough have for a considerable time had under their consideration a general plan of sewerage, and have been engaged in obtaining general information on the subject as well as specific reports applicable to Belfast, which, from its low situation and the nature of the levels, presents peculiar difficulties, and requires deliberation before any general plan can be adopted.

As to any proposed sewers within the requirement No. 19, witness refers to his last preceding answers.

It is intended to combine the management of the sewers with that of the surface cleansing and scavenging.

It is not intended to impose any sewer rates, nor is there any income now derivable therefrom as such; the limit of taxation is bounded by the range of lighting and watchung within the borough, and would extend to any premises within such limits, even though no sewers were made; but this provision is not in virtue of the present Bill, but of an Act already obtained.

These limits were regulated by the council's Act of 1845, but in all cases when the council are informed by the inhabitants of the necessity for making drains, they either make the drain out of the general rates or compel the owners of the property in new streets to make the same; and it is already stated, permission is granted to the inhabitants to make house drains almost as a matter of course.

The council have not resolved on changing the present admeasurement of the sewers and drains now in use, and on this point witness refers to the evidence of William Hastings, already examined.

No special provision is intended for the supply of the poorer districts, but such districts receive, as witness believes, equal attention with the other districts of the town.

The police rates, out of which the sewerage is defrayed, is charged upon the owners of all houses valued at and under 8*l.* and on the occupier of all houses above 8*l.*

No mode of application of the sewerage of the town has been decided on, nor has any calculation of the income likely to be derived therefrom been made.

It is intended to leave the management of the surface cleansing and scavenging as it is at present, combined with that of the sewers.

The Bill does not seek any powers with reference to surface refuse, which is now regulated under the existing Act of 1845.

The town council have at present power to water the streets. They only seek by the present Bill to have power of obtaining additional supplies of water.

The proposed Bill does not contemplate the appointment of any inspector or manager of the draining and scavenging department, nor any new regulations with respect to the appropriation of the surface refuse and scavenging, or the revenue to be derived therefrom, nor the appointment of any guardian against public nuisances.

The proposed Bill, in clause 39, seeks for powers in relation to the sewerage of the town as to its appropriation and sale, but the promoters have not formed any detailed plan as yet in relation thereto, as it is a branch of the subject of the general sewerage of the town at present under their consideration; and the clause in question contains a restriction that it shall in no case become a public nuisance or annoyance to the neighbourhood, and witness cannot therefore give any further answer than is herein stated to this requirement, or to the requirements under the head of the appropriation of the sewerage numbered 33 to 45, both inclusive, except with respect to No. 42, 50 and 53, as follows:—

Any profit to be derived from the appropriation of sewerage will be applied to the benefit of the ratepayers.

The promoters are the town council of the borough of Belfast.

Witness is not aware of any opposition to that part of the Bill which relates to the appropriation of sewerage.

Mr. David Porter, again Examined.

Produces a statement which he made out from the books of the town council and rate committees. It is correctly made out therefrom. It is as follows:—

Net amount received from the sale of manure for 10 years ending 31st December 1845.

	£.	s.	d.
1836 - - - - -	541	1	-
1837 - - - - -	758	2	0
1838 - - - - -	858	4	11
1839 - - - - -	942	12	-
1840 - - - - -	1,109	10	0
1841 - - - - -	925	18	2
1842 - - - - -	840	17	7
1843 - - - - -	681	14	0
1844 - - - - -	1,941	8	8
1845 - - - - -	789	0	1

Total - - £. 8,340 14 9, being an average of 834l. 10s. 6d.

Witness has examined the books of the town commissioners in regard to the charge for watering the streets, for which no separate account was kept anterior to 26th January 1845. The expense of watering from the 26th January 1845 to the 31st December 1845 was 140 l. 8s. 7 d.; and for the year 1840 it was about 133 l., both which items exclude the price of carts.

Mr. Daniel Hanna, again Examined.

Witness produces Ex. No. 17, showing eight barrel sewers and 15 small outlets delivering into the Blackstaff, and which sewers, and the levels of the same, have been laid down from witness's own personal observation.

Mr. William Hastings, again Examined.

Has prepared a statement of the number of streets, lanes, alleys, and courts within the municipal boundary of the borough. It specifies the aggregate length of each class, but does not state the number of houses. It states the aggregate length of the streets; it specifies those furnished with sewers as near as it can be ascertained. It does not state the houses that drain into sewers, as witness had not time to obtain the required information, which could only be got by inquiring at the houses. There are no public cesspools, and no means of ascertaining whether there are private.

Proprietors have taken advantage of the public sewers. Believes that the greater portion have availed themselves of the existing sewers and communicated either directly or indirectly by private drains from their houses.

Produces a statement in writing prepared under his superintendence. The measurements are taken from the Ordnance Map so far as they could be taken from it.

It contains a correct statement of the information detailed in it, so far as witness has been able to ascertain.

Has had access, as town surveyor, to the best means of information in preparing it.

Witness hands in statement, each page initialed by him, and last page signed by him, (marked Ex. No. 27 a).

That statement does not include Ballymacarrett, on the east side of the river Lagan, which was made part of the borough by the Municipal Act.

Mr. William Rogers, sworn; and Examined.

Is an appraiser and valuator; has resided in Belfast for 15 years; has prepared a statement of the population of Belfast for several years.

Has made the statement partly from the commissioners' returns for the census, and the last year entirely from the Government census.

From the year 1831 to 1831, the increase is in the ratio of five and a half per cent. per annum, aggregate population being 62,837.

From 1831 to 1841, the increase is in the ratio of five and a quarter per cent. per annum, aggregate population being 70,447.

Calculating the increase at the same ratio for the last six years at 5½ per cent. per annum, the present aggregate population is 92,719. That ratio is rather under the actual rate of increase. Witness knows it from having been valuing the houses, and knowing that the number of them have increased more rapidly in the last few years.

The statement which witness holds in his hand is a correct statement of the information contained in it.—(Marked, Ex. No. 28.)

That statement does not include the population of Ballymacarrett, nor did witness speak of any but the population of the Antrim part of the borough in his above evidence.

Has made inquiry as to the number of streets, lanes, alleys, and courts within the limits of the paving and lighting. They are the limits of the taxed part of the borough. The number of streets lighted and watched is 224; lanes, 40; courts, 213; alleys, 28. Un-paved streets, 33; lanes, 2; courts, 12; alleys, 1.

The gross number of houses in the streets of the whole of the municipal boundary within the county of Antrim is 9,370; lanes, 467; courts, 2,826; alleys, 501.

Belfast
Improvement Act
Amendment.

Mr. William Hastings, again Examined.

Has made out a statement of the average estimate of the cost of sewers of various classes shown in diagram (Ex. No. 24.)

It is a correct estimate.—(Marked, Ex. No. 25.)

John Bates, Esq., again Examined.

None of the returns produced on the part of the promoters as to drainage, sewerage, or cleansing, or as to pavement, or as to supply of water, extend to the district called Ballymacarrett, which is within the limits of the municipal boundary.

That district was added to the former borough of Belfast for municipal purposes, for the first time, by the Irish Municipal Corporation Act; it has been previously connected with the borough for the purpose of Parliamentary matters. It had been added for those latter purposes by the Reform Bill.

This district is also included within the limit of the Town Improvement Act of 1846, but owing to the circumstance of its being of considerable superficial extent, and not generally built upon, the council have not extended the powers of that Act to it with respect to taxation, or lighting and watching, but their officers do at present see that the streets paved and the houses built shall be done according to the sanitary provisions of the Act.

Mr. William Rogers, again Examined.

The following is a correct statement with respect to the houses in Ballymacarrett:—

Total number of houses in that part of Ballymacarrett that is included in the municipal boundary is 1,166.

The population in that part of Ballymacarrett which is included in the municipal boundary in 1841 was 6,697. Calculating the increase at 5½ per cent. would give 847 per annum, which in six years amounts to 5,082, making together 8,779.

The census in 1841 was 6,697, increase 2,082; making, in 1847, 8,779. Within the municipal boundary population, in 1841, was 76,308; ditto, in 1846, 101,498; or from 24,719 Antrim side; 8,779 Down side; total, 101,498.

DIVISION III.—PAVEMENT.

Mr. Robert Pattison, surveyor, again Examined.

(Exhibit No. 4, handed to witness.)

Produces a block plan of the town of Belfast, of rather less than 30 inches to a mile; it is three chains or 198 feet to an inch; prepared this map from the Ordnance survey.

It distinguishes the manner in which the streets are paved, and those that are paved and those not paved.

It is a copy of an enlarged map or plan made by the Ordnance Office, and is not enlarged by witness but is copied from the Ordnance enlarged plan; but witness has added to his copy the recent improvements in Belfast, which are not shown in the Ordnance map.

Has distinguished on it the streets which have both foot and carriage pavements by the colour "brown."

Has distinguished those which have pavements only, by colour "red."

Has distinguished those which have carriage pavements only by the colour "yellow."

Those which have neither foot nor carriage pavements are left uncoloured.

Has laid down contour lines on this plan from another plan laid down; those contour lines from a plan furnished to him by Mr. Hanna.

Mr. Daniel Haxne, sworn; and Examined.

Is a surveyor. I am assistant in the office of Mr. Lanyon, county surveyor. Laid down on a map the contour line of Belfast, and Mr. Pattison (last witness) copied them on this plan (Ex. No. 4).

Produces map made by him, on which he laid down the contour lines. It was marked Ex. No. 7.

Mr. William Hastings, again Examined.

Produces sections of streets, on a scale of five feet to an inch. (Sections marked Ex. No. 8).

The modes of paving the footways most in use are, 1st, Paving with pebbles.

The pebble or boulders used for paving footways, are from three to five inches in depth; they are set on end and embedded in soft sea sand, and after being rammed are covered with a kind of sea gravel or coarse beach sand.

The pebbles are gathered on the sea shore, chiefly in the counties of Antrim and Down.

Down. Those from the county Antrim are composed of whin or trap rock, and those from the county Down are of a slaty rock, which prevails in that locality. The former are better shaped and much harder than the latter, which frequently split under the hammer.

The sand in which the stones are set is of a fine description, red coloured. It is raised on the county of Down side of Belfast Lough, at the mouth of a small stream called Coona Water, about half a mile below the town.

The gravel used for covering the pavement is a mixture of coarse sea sand and gravel, of a whitish colour. It is procured from the beach on the county Down side of Belfast Lough, between Holywood and Calm, four or five miles below the town.

The price of pebble paving set in footways averages 1s. per square yard, exclusive of preparing the street, such as filling hollows or removing superfluous stuff.

Secondly, Flagging.

The flags generally used for the footpaths are from a sort of hard sand stone, which splits into parallel layers of various thickness, requiring no facing. Those used in Belfast are from one and a half to two inches thick; after being squared, they are laid upon sand of the kind used for pebble pavement and jointed with mortar. The best flags of this description are brought from the counties of Carlow and Kilkenny; some have been brought from Limerick, but they are much rougher and more twisted on the face; both kinds are very durable, resembling trap or whinstone in their hardness and texture. The price when laid is 6s. per square yard.

Footpaths are commonly allowed a cross fall of half an inch for each foot in breadth from the houses to the outer edge of the curb stone.

The curb stones most used are of granite, from the Moorne mountain, near Newry, 11 inches broad, and 7 to 8 inches deep, roughly chiselled on the face and edges. They cost from 2s. to 2s. 6d. per lineal yard set.

Curb stones for small streets have been made from sandstone flags 12 to 14 inches deep, and three inches thick, set on edge. Old flags raised out of footpaths have been used for this purpose, and others procured from a sandstone quarry at Scrabo, near Newtownards, county Down; they cost, when set, from 1s. to 1s. 3d. per lineal yard.

The modes of paving the carriageways most in use are:

1. Concrete of small broken stones without mortar, commonly called "macadamizing."
2. Pebbles or boulders from the sea-shore.
3. Rough squared stones or "square sets."
4. Circular wood blocks.

The material employed for the macadamized streets is whinstone, or trap-rock, procured from quarries in the hills to the westward of Belfast, and broken into pieces about two inches across. The cost of forming a carriageway of broken stones eight inches thick averages 1s. per superficial yard.

3dly. The pebbles used for carriageways are similar, except in size, to those described in Statement No. 3; sand and gravel are employed in the same manner. The size of the pebbles in carriageways is eight or nine inches deep at the channels or sides of the street, gradually decreasing in depth to the centre, where they are six inches. The cost of pebble paving in carriageways is 1s. 6d. per superficial yard, exclusive of levelling the street and preparing the foundation for the pavement.

3dly. The square stones, or "sets," used in a few streets in Belfast, are of a very hard trap, or greenstone, from the Prammanna Quarries, in Wales. The depth is from seven to eight inches, and the breadth of the different classes from three to four, four to five, and five to six inches respectively; the narrowest stones are the highest price per ton, and make the best pavement; they can be laid from 6s. to 6s. 6d. per square yard.

4thly. Wood paving formed of hexagon blocks has been used; but the kind most in use is that formed from cylindrical blocks of larch, each nine inches in length, cut from the tree, the bark being removed. The blocks vary from five to eight inches in diameter; they are set in sand, and the spaces between the blocks pointed with sand and gravel.

This pavement will cost 10d. per square yard.

The cross sections of the street between the channels form curves, as shown in diagrams.

The usual rise of the centre of the carriageway, in macadamizing and pebble paving, above the bottom of the gutter at its average depth, is two inches to each 16 feet in width of the street; in wood and square set paving it is rather less than one and a half.

The common modes of forming the gutters are also shown in diagrams.

Those in macadamized and pebble-paved streets are formed from pebbles; the usual depth of the bottom of the gutters from the top of the curb stones, is five inches. In level streets, when an artificial fall must be given to the gutter, it is depressed to between six and seven inches at the gully gratings, and raised to three inches half way between them, producing a fall towards the gratings of nearly one quarter of an inch in each yard; the gratings in such cases being usually 30 yards apart.

The most recent mode of forming gutters, in streets paved with wood and square sets, is to place a single row of stone blocks or of square set, of equal breadth, picked for the purpose, close to the side of the curves, and four inches below the top of them; channels of this description do not require as much fall as those formed from pebbles.

The cost of executing carriageway pavements, in the first instance, including the expense of preparing the ground for paving, in ordinary circumstances, is as follows:

Belfast
Improvement Act
Amendment.

	s.	d.
1. Macadamizing - - - - -	1	2 per square yard.
2. Pebbled paving - - - - -	1	9 "
3. Rough square stones, or square sets from Wales - - - - -	0	6 "
4. Wood paving with circular blocks - - - - -	5	4 "

The following estimate of the comparative expense of maintaining the above kinds of paving has reference to a small street (Skippers-street), of considerable traffic, which was originally macadamized, and has since been partly paved with squared sets. Interest at 5 per cent. per annum on the estimated original outlay, the probable duration, and the expense of repairs, including that of replacing worn materials, and putting within a certain time each kind of paving into a condition equal to what it was in at first, all items which enter into the computation:

	s.	d.
1. Macadamizing - - - - -	9	per superficial yard per annum.
2. Pebbled paving - - - - -	4	" "
3. Square set paving - - - - -	6	" "
4. Wood paving with circular blocks - - - - -	10	2 " "

The comparative economy of the several kinds of paving varies so much according to the width of streets and the traffic in them, that it is impossible to make an estimate which would be applicable in all cases; for example, in the before-mentioned street, Skippers-street, the expense of square-set paving is less than that of macadamizing in the ratio of 6 to 9, whereas in a wide street, Donegal-place, for example, it would be greater in the ratio of 4 to 3; the interest on the first outlay is the cause of the variation.

FOOT PAVEMENTS.

The foot pavement most approved of is that formed of Carlow flags.

Asphalts has been used, but to a very limited extent, as it is much less durable than the former; the foot pavement formed of small sea pebbles is most in use on account of its cheapness.

CARRIAGEWAY PAVEMENTS.

In the leading streets in town the carriageways are macadamized.

This sort of paving is objectionable on account of the dust which arises from it in dry weather, the accumulation of mud which takes place upon its surface in wet weather from the grinding away of the broken stone, and the expense of keeping it in repair; its chief recommendation is, that carriages make less noise in passing over it than over other stone pavements.

Pebble paving, owing to its cheapness, is very generally used; when there is much traffic it soon becomes irregular on the surface, and requires frequent repairs.

Wood paving has the advantage of cleanliness and comparative freedom from noise, but owing to its great expense is not likely to be generally adopted.

Square-set paving, although objected to on account of the noise from carriages passing over it, is best adapted to the narrower and more crowded thoroughfares of the town; with the exception of pebble paving it is cheaper in such places than any other sort enumerated, and has the advantage over them all as regards cleanliness, permanence of form, and consequently less interruption of traffic from frequency of repairs.

The pavements are under the control of the committee of the town council on police affairs, who have also the management of the cleansing and scavenging, shooting, lighting and watching of the town, the prevention of nuisances and encroachments on the streets, and the regulations of buildings as far as connected with the Town Improvement Act.

Mr. David Porter, sworn; and Examined.

Is the police and borough accountant; entered into office in 1844; acts under the town council; the former accountant, John Gilmore, is dead; he was witness's predecessor; has prepared a statement of the expenditure on the public pavements in Belfast; prepared it from books of the town commissioners up to 1844, and from thence to 1845 from the books of the town council; made it out as accurately as the books would enable him to do, and the same is a correct copy from entries in those books.

(Statement marked, Ex. No. 2.)

The funds expended in said account were procured from police-rates, sales of manure, fines, and licences of cars.

Those funds were procured from public rates levied under the Act 8 & 9 Vict. c. 142, and previous thereto under the Acts in that Act mentioned.

Mr. William Hastings, again Examined.

There is no special provision in the Belfast Improvement Act, 8 & 9 Vict. c. 142, for paving the proper districts of the town, but the owners of the houses in all cases are compelled to pay for the first paving in front of them; the amount of such payment is the actual cost of the paving.

Done

Does not submit any plan with proposed streets coloured green, nor any enlarged plan on a scale of 100 feet to an inch, nor cross sections of streets proposed to be paved, nor any statement of the several modes proposed to be adopted for forming and paving the footways, &c. inasmuch as there are no special streets proposed to be paved, nor any measures proposed to be adopted. The plan which has been followed under the Town Improvement Act with reference to the repairs of old and the pavement of new streets is still intended to be acted on.

Hands in a notice of paving pursuant to the powers of said Act, as evidence of the manner in which the provisions thereof are carried out by the town council.—(Notice worked Ex. 11.)

The proposed ways for forming and paving carriageways are as already stated in answer to similar inquiries already answered; and the same observation applies to the particular requirement as to the materials required for executing the last-mentioned works, and the estimated cost thereof.

The sections (Ex. No. 2, already handed in by witness) show the proposed mode of forming the gutters, with the exception of section of Church-lane.

As to the comparative economy of the several kinds of the proposed pavements, witness refers to his evidence given above in answer to the inquiry as to the economy of those modes now in use.

As to the estimate of the costs of the proposed measure, witness refers to his evidence already given in answer to an inquiry on that subject, and also as to the estimate of the annual cost of maintenance.

John Bates, Esq., again Examined.

It is proposed to put the control and management of the pavement under the council of the Borough of Belfast; it is to be in combination with the surface cleansing and scavenging, and not under any other department of town government.

The promoters of the Bill are the council of the borough of Belfast, as described in the fourth section of the 8 & 9 Vict. c. 142.

The proposed funds to be raised for the requirements of the proposed pavements are the rates imposed by said Act 8 & 9 Vict. c. 142.

It is not proposed to borrow any sum on loan for the purpose of making or maintaining the pavements.

The rates to be levied for such purposes are to be levied from the occupiers of all houses valued at upwards of 8*l.*, and upon the owners of all houses valued at and under 8*l.*, within the limits and pursuant to the regulations of said Act.

It is not proposed to constitute any officer under the proposed Bill as superintendent of pavement; the duties of such officer will continue to be conducted by the surveyor of works and his assistants, under the said Acts of 8 & 9 Vict. c. 142, and those duties are defined in said Act.

Is not aware of any opposition to the Bill, so far as it seeks to confer on the town council certain powers as to paving.

No attempt has been made already to obtain such power; the Act already obtained contained certain powers, and this Bill is to remedy its deficiencies.

Is acquainted with the borough for upwards of 30 years.

The powers as to paving now sought were formerly vested in two bodies, both created by the Act of Parliament, entitled, "An Act for paving, cleansing and lighting, and improving the several streets, lanes and passages in the town of Belfast, and for other purposes," made and passed in the 40th year of the King, c. 37, and amended by an Act passed in 36 Geo. 3, c. 47.

Witness handed in copies Acts (marked Ex. 12).

Those two bodies were called the commissioners of police and the police committee, and their powers were transferred under the Municipal Corporation Act to the council of the borough.

DIVISION IV.

PUBLIC EDIFICES, MARKETS, COURTS OF LAW, TOWN HALLS AND BRIDGES.

PART I.—PURCHASE OF MARKETS.

John Bates, Esq., Examined.

The markets existing at the time of the passing of the 8 & 9 Vict. c. 142, which received the Royal assent on the 21st July 1845, were Smithfield Market, May's Market, Montgomery's Market, and Ormeau Market.

The council have, since the passing of those Acts, contracted for the purchase of all those markets, and they have also contracted with the Marquis of Donegal, who is the lord of the manor of Belfast, and John Hopton Russel Chichester and Thomas Verner, trustees appointed by an Act passed in the 8 & 9 Vict. c. 31, for the sale of the settled estates of the Marquis of Donegal (a copy of which Act witness delivers in, marked Ex. 31), and with Thomas Verner, junior, the lessee of said Marquis, for the purchase of all and singular the

**Belfast
Improvement Act
Amendment.**

rights, powers, privileges, jurisdictions and authorities with respect to fairs and markets within the manor of Belfast, and the right of appointment to the office of weigh-master of the said borough, and all the fees, perquisites and emoluments to the said office belonging, and all the tolls, duties and customs of every kind with respect to fairs and markets, and to the purchase and sale of goods within the said manor, which contract is evidenced by a written memorandum of agreement, bearing date the 22d of August 1840, under the hands and seals of the said several parties.

Produces the said memorandum of agreement, which he obtained amongst the title deeds of the town council. (*Marked Ex. No. 32.*)

Also produces a memorandum of agreement with respect to the purchase of May's Market, dated 26th April 1846. (*Marked Ex. No. 33.*)

Also produces the original finding of a jury of Belfast, bearing date the 8th December 1845, whereby the said jury awarded to John Montgomery and James Montgomery the sum of £4,409*l.* for their interest in the market, rights and tolls of Montgomery's Market. (*Marked Ex. 34.*) Witness further produces another finding of a jury of Belfast, bearing date the 15th of December 1846, whereby the said jury awarded the sum of 1,541*l.* 7*s.* 2*d.* to James Lawrence Wise and Thomas John Wise, for their estate and interest in certain market premises therein mentioned in Ormeau Market. (*Marked Ex. No. 35.*)

Witness can state, from his knowledge of the borough, that the situation and accommodation of the several markets heretofore in existence have been inconvenient and insufficient for the accommodation of the borough, in consequence of which a great deal of the buying and selling is at present carried on in the streets of the borough; and although the council have the power, under their first Act, to prevent obstructions in the streets, they feel that until proper markets shall be provided it would not be beneficial to the inhabitants to prevent sales in the streets.

PART II.—LAGAN BRIDGE.

Mr. William Hastings, Surveyor, again Examined.

Produces a plan of the town of Belfast and vicinity, on a scale of nine inches to a statute mile. It shows the Lagan Bridge and its approaches. The plan is an enlargement on the Ordnance map. Believes it to be an accurate enlargement from the Ordnance map; it is an engraving from a map by James Kennedy. (*Plan withdrawn.*)

Produces the Ordnance survey map, on the scale of six inches to a statute mile. (*Ordnance map, marked Ex. 13.*)

The plan shows the position of the Lagan Bridge. It also shows the position of the Queen's Bridge. There is no other bridge on the river Lagan within said borough but these two. The distance between them is upwards of a quarter of a mile.

John Bates, Esq., Town-clerk, again Examined.

The existing bridge (the Queen's) being the only one free from toll, is at present very much occupied by traffic, which must greatly increase as soon as the new quays shall be completed on the county of Down side of the harbour. The intention is that the colliers for the supply of the town should lie on the county of Down side of the river, so that when this addition shall be made to the traffic on the bridge it will, it is to be apprehended, be very much crowded.

Passengers could not come to Belfast from that part of the county Down by another way than the Queen's Bridge, unless by going round a distance of two miles.

If the Lagan Bridge was rendered free of toll, conceives it would be the most convenient passage from the county Down side into the south-west end of the town of Belfast; and it is in that direction that the most improvements are going on.

The immediate locality of the bridge is not increasing, which he attributes in some measure to the existence of the toll. There is a considerable increase in that part of the borough which is situate in the county of Down; and the buildings are increasing very considerably in the south-west end of the town, for private residences, and will be further increased, in consequence of the proposed erection of the Queen's College in that locality.

There are many manufactories on the county of Down side; and it would be a great convenience to the persons employed in them, in coming to market, to pass the bridge free from tolls.

The town council have already purchased a market in the locality of this bridge, called May's Market, and they have taken power to purchase ground adjoining, for the extension of that market, and the establishment of other markets; and it would be a great convenience to the persons resorting to the existing market, or that may have occasion to resort to the market to be established, to have this bridge rendered free of toll, leading as it does from a part of the county of Down from which a great deal of agricultural produce is brought into Belfast.

The approaches to the bridge from the Antrim side are by May-street, and a footway along the Lagan.

The approaches on the county of Down side are numerous, leading from Comber, Newtownards, Donaghadee, Bangor, and the other towns in that district of the county of Down; of course, persons coming from these places can cross by the Queen's Bridge, but it will be too much crowded.

Almost

Almost the entire traffic from these places is at present thrown on the Queen's Bridge, which is a circuitous route to May's Market.

Tolls are payable for passing this Lagan Bridge; it is the property of a private body called the Lagan Bridge Company, in whom the tolls are vested by their Act of Parliament.

The tolls extend to foot passengers, and to carts and waggons, and agricultural produce.

The funds to be expended for the proposed purchase of the tolls are to be taken from the money to be borrowed under the Belfast Improvement Acts, and from the rates.

The money is partly to be raised by loan, under an Act already passed, and partly under the new Act.

It is proposed to pay for the bridge out of the money which the council is authorized to borrow, and from the rates under the existing Act; no new rate is to be levied for this purpose, nor is the existing rate to be altered, the object being to open the bridge to the public free of toll.

It is sought to complete the purchase by agreement; no agreement has yet been entered into.

The property in the bridge is proposed to be vested in the mayor, aldermen, and burgesses of Belfast.

There is not any opposition, or expected opposition, to the purchase of the bridge.

The tolls are intended to cease immediately on the purchase by the council being completed.

The present proprietors of the bridge are, as witness believes, desirous to sell.

Produces a copy of the Lagan Bridge Company's Act, which contains a list of the tolls and of the exemptions.—(Act marked Ex. 14.)

The bridge was constructed about the year 1832; the Act was passed in the year 1831.

Alexander Croston, Esq., sworn; and Examined.

Is a solicitor, residing in Belfast, agent to Lord Templemore; his Lordship is the owner of that part of the borough which is situated in the county of Down called Ballymacarrett.

Is of opinion that it would be beneficial to the whole borough of Belfast that the bridge should be bought up free from toll.

There is great communication between Belfast and Ballymacarrett, and a great many manufactories. There would be more buildings and improvements about the bridge if it were free from toll.

When the projected improvements on the quays on the county of Down side are carried out the Queen's Bridge will not be sufficient for traffic.

Has paid toll on the Lagan Bridge; the charge is $\frac{1}{2}$ d. each foot passenger on going and returning each time.

Thinks agricultural produce pays toll.

Generally goes round by the Queen's Bridge. If the Lagan Bridge were free from toll would go by it.

The small farmers on the county of Down side complain very much of the toll, and are always asking when will the bridge be opened; they are always expecting it to be opened.

Mr. Robert Pattison, Surveyor, again Examined.

The Lagan Bridge is built about 14 or 15 years.

It is now apparently in a proper state of repair. It should be so, being a new bridge.

Has measured the bridge lately. Its width at the approach is 60 feet; the narrowest part of it is 30 feet; its entire length is 400 feet. There are five arches, varying from 30 to 40 feet. Measured the ground on either side of the bridge belonging to the bridge company from information given by the toll-keeper; the ground is distinguished by marks of old date. It is 100 feet on each side of the bridge, lateral ground, clear of the 60 feet. It extends to low water mark, and is altogether covered at high water.

William Coates, Esq., J. P., sworn; and Examined.

Is secretary to the Lagan Bridge Company. There is a toll payable now on the bridge; it is payable to the company.

There is no exemption to the toll except such as exists under their Act of Parliament.

The property of the company consists merely of the bridge and of ground on each side which was taken by inquisition, which the company have the privilege of using, but there is a question how far they could dispose of it.

Such ground is 100 feet on each side of the bridge laterally. It was taken under an inquisition pursuant to the Act. The inquisition was regularly taken, and a nominal finding given.

It would be an advantage to the inhabitants of the borough and to the county generally to have the bridge free of toll.

Believes the company would be desirous to receive a fair compensation and give up the bridge so that it were freed from toll, but on no other terms.

Belfast:
Improvement Act
Amendment.

Mr. William Hastings, again Examined.

Has measured the Queen's Bridge; it is 42 feet 2 inches in the clear between parapets. There is a foot-way on each side, each of which is 5 feet 11½ wide, leaving 30 feet 3 inches in the clear between the foot-paths.

DIVISION V.

PUBLIC WAYS AND WALKS, STREETS, SQUARES, AND PARKS.

PART I.—WIDENING AND EXTENSION OF STREETS.

Mr. Daniel Harris, again Examined.

Produces the town plan (Ex. No. 7.) on a scale of 198 feet to an inch.

John Bates, Esq. again Examined.

The town council have commenced improvements, under the present Act, to the effect of purchasing property. These purchases were made for the purpose of making an approach to the Queen's Bridge, and making wide streets leading to that approach.

There were no new streets opened at the expense of the borough, with the exception of those now in course of being executed, for the last 10 years, or as far as witness knows at any time.

Under the provisions of the Act of 1845, there is a sum of 100,000 £. applicable to the making of new and widening of old streets.

There is an insufficiency in the communication as at present existing; as an instance of which witness refers to town plan (Ex. No. 7.), and states that the communication from the south end of Donegal-street to James's-street, and the quays and docks lying beyond that street, would be improved by the making of a new street leading from Talbot-street into the ground which the council have already purchased in James's-street. The town plan (Ex. No. 7.) shows the projected streets coloured yellow.

It would be advantageous to open a new street at Store-lane, as connected with the improvements in the course of being made by the Harbour Commissioners. For sanitary purposes, it would be advantageous to widen part of the following streets:—Taylor's-row, Institution-court, Mitchell-street, Winstavern-street, and the street not named leading from Mustard-street to Upper Kent-street.

For general convenience or traffic it would be, in witness's opinion, beneficial to the inhabitants to make a new street in continuation of Brown's-square, commencing in Brown-street and terminating in Wilson-street; also to make a new street in continuation of Williams's-place, commencing at the house of Sarah Williams and terminating near Sandy-row, which could be accomplished by the removal of a wall and filling up of a ditch; also to make a new street in continuation of Market-street, commencing in Market-street and terminating in Eliza-court, which witness believes could be also effected by the removal of a wall; and also to widen and extend or alter Mary-street, and the street on the south side of Lincolns dock, north side of Chichester-quay, and the west side of Merchant-quay, and the new street from Waring-street to James's-street, all of which said ground and premises are enumerated and specified in Schedule (A.) to the proposed Bill.

James McKinnock, Esq., Merchant, sworn; and Examined.

Resides in Belfast; is not a member of the town council; knows Talbot-street district. Talbot-street is not sufficiently extended for facilitating the traffic of the borough; an extension of value to the inhabitants could be made by getting access to the quays. If Talbot-street were extended in a direct line to James's-street it would accomplish the end witness speaks of. Has had his place of business in Talbot-street for 10 years, and has formed his opinion from such his knowledge of the district.

Mr. Francis Rea, sworn; and Examined.

Is a resident of Belfast for the last 40 years; is agent for the Dublin and Belfast Mail-coach Company; resides at Castle-place; is not a member of the corporation.

Has examined plan (Ex. No. 7.) with reference to the intended improvements at Brown's-square; believes it would be beneficial to the inhabitants to make a new street, commencing in Brown's-square and terminating in Wilson-street; from his knowledge of the locality is quite certain it would.

Knows the locality of Williams's-place and Sandy-row; believes it would be beneficial to the inhabitants to complete the street in continuation of Williams's-place, and terminating on Sandy-row, by taking down the wall and filling up the ditch; no man in his senses can doubt it; wonders it was ever allowed to remain as it is.

Knows Taylor's-row; believes it would be of advantage to the health and comfort of the inhabitants to widen Taylor's-row at the entrance of Carrick's-hill.

Knows

Knows Mitchell-street; believes it would be beneficial for sanitary purposes to widen it fronting to Millfield-street. There is not a filthier, dirtier place in the town.

Knows Winstavern-street; believes it would be beneficial to the inhabitants to widen the narrow part of Winstavern-street.

Knows Talbot-street. There can be no doubt that the proposed extension would be of very great advantage to the inhabitants; a great saving of time would be accomplished in going from Great Patrick-street to Donegal-street, and the approach to the quays. Anything that would relieve Waring-street would be of great advantage to the mercantile body in that part of the town; this would do it to a certain extent.

The majority of the houses which would be affected by the proposed extension of Talbot-street are of a poorer class; what would be called 8 l. or 10 l. houses, as far as witness's knowledge goes. Believes the population is tolerably dense.

Mr. John Coster, sworn; and Examined.

Is an assistant in the office of Mr. Charles Lanyon, county surveyor.

Hands in six plans copied from the large plans of the Ordnance-office, and verified by witness on the ground; believes them to be correct.

They show the proposed improvements, and the houses and premises to be taken.

John Bates, Esq., again Examined.

For the names, residences, and descriptions of the promoters of the proposed Bill, witness refers to his evidence on the head of sewers.

The proposed managing body is the town council, as the representatives of the municipal body, of whom hitherto a committee has been selected for the town improvement.

Has heard of parties who are dissatisfied with a portion of their premises being taken for the proposed improvements, but cannot say whether they will oppose the Bill or not. The only person witness knows of as likely to oppose the Bill, is Mr. George Ash; that is, as to the measure of making wide and improved streets.

Mr. Ash, as witness understands, states that he would prefer having his premises pretty near the front of the new street rather than of having them removed. Presumes his ground of opposition would be, that his premises were not required for the proposed improvements.

There is a portion of the ground, independent of what is sought to be taken for the widening of the street, which is sought to be taken for the extension of markets.

Mr. John Hayes, sworn; and Examined.

Is an assistant in the office of Mr. Bates, the town-clerk. Produces a book, containing a description of the premises set out in Schedule (A.) to the proposed Bill, so far as relates to the widening, extending, and improving of streets, and the making of new streets, but not containing any of the premises set out in said schedule for the purposes of markets.—(Marked Ex. No. 42.)

Mr. John Davison, sworn; and Examined.

Is one of the valuers appointed by the council for the purpose of rating under the 8 & 9 Vict. c. 142.

Has, according to the best of his judgment, attached the true value to the premises contained in (Ex. 42), now produced to witness.

Formed his opinion of that value from his own knowledge, derived from an inspection of the premises in this and former years.

Has the premises arranged in two classes:—

1st. One hundred and eighty-five houses, valued from 20 l. down to 10 s.; amount of value of class, 1,332 l. 12 s.

2d. Twenty houses, valued from 20 l. upwards, amount to 772 l.; making gross value of all, 2,004 l. 12 s.

Mr. William Williams, sworn; and Examined.

Is the other valuator for the borough. Concurs with the last witness, John Davison, as to the value he has placed on the several premises in that book (Ex. No. 42).

It was from personal examination of the premises that he has formed his opinion of the value.

Mr. Roger Moore Dillon, sworn; and Examined.

Is a solicitor. Is conversant with property as connected with the town improvements of Belfast; has made an estimate of the value of property proposed to be taken for the purpose of making wide and new streets.

The purchase of land, houses, &c., as valued by the last two witnesses, and comprised in Book, Ex. 42, is 24,199 l.; the good-wills, removals, and fixtures, including gratuities to emigrants, is 1,435 l.

Cost of works, including legal expenses and expenses of engineers, architects, surveyors, builders, &c., is 6,040 l.; total, 31,674 l.

Belfast
Improvement Act
Amendment

That estimate includes all contingencies.

Is employed in the town clerk's office, and has had a good deal of experience in matters of this kind, and is conversant with it. These calculations have been made from the results of verdicts in former cases of taking of premises, and inquiries by the corporation.

Witness's estimate does not include the expense of the works in taking down of the premises, but merely covers the expenses from the service of the notice to treat on the owners of the premises until the signing of the deeds of conveyance to the corporation.

John Bates, Esq., Examined.

It is proposed to purchase the property intended for the making of new and widening of old streets out of the monies authorized to be borrowed under the 8 & 9 Vict. c. 143, or to be obtained by the sale or leasing of the properties already acquired under that Act.

The general thoroughfares are intended to be made by straightening and widening, and not by parallel lines. No estimate has been made of the advantages of same over a parallel or new line. Improvement by parallel line could not be made in several of the localities.

The Bill contains a clause, No. 34, limiting the powers of the council for the compulsory taking of the houses and lands to the period of five years from the passing of the Act.

Produces a copy of the proposed Bill.—(*Marked Ex. No. 43.*)

There has been no special objections sent to the promoters by persons whose property is to be affected by the Bill. The usual notices of assent, dissent, or acquiescence, were lodged in the Civil Bill Office, where same remain.

There are no funds to be provided by Government for the proposed measures.

Produces two accounts of the income and expenditure of the borough of Belfast, for the year ending 31st of December 1845 and 31st of December 1846; also a copy of the last account of the receipt and expenditure on account of borough rate, to 1st September 1846.—(*Accounts marked, Ex.'s 44, 45, and 46.*)

Mr. Robert Garrett, sworn; and Examined.

Is an engineer and surveyor. Is an assistant in the office of Mr. Laugon. Copied the plan now produced from a plan which he, witness, made about three years ago. It is a correct copy of the former plan made by witness to the extent shown upon it.

The measurements laid down on the plan are correct; witness checked them.—(*Plan marked Ex. No. 47.*)

John Bates, Esq., again Examined.

Refers to plan, Ex. No. 47. Witness has examined that plan. The part coloured pink shows the property which the town council have purchased, or contracted to purchase, under the provisions of their first Improvement Act.

These extensive purchases were rendered necessary and made owing to the following circumstances:—

The new bridge, which is the principal thoroughfare leading to the county of Down, was erected nearly opposite to Anne-street, under an arrangement with the Board of Works, made by or assented to by the town commissioners, that new and convenient approaches should be made to that bridge.

In order to carry out this arrangement, it became necessary to take down one side of Anne-street, the leading approach to the bridge in the county of Antrim side; and it became further necessary either to take down further buildings in a line with Anne-street, so that the proposed approach should communicate generally with the town, or to make a new street nearly at right angles with the widened portion of Anne-street. It was deemed advisable to adopt the latter course, as affording the greatest extent of public accommodation, and passing for the greater part through a very decayed part of the town. The cross street last referred to having been determined on, it was deemed advisable to at once purchase the entire of the ground necessary for completing it, from the consideration that if the council only purchased the portion thereof immediately adjacent to the approach to the bridge, the remainder of the line would become much increased in value; and as it was manifest the purchase must be made either then, or shortly afterwards, the council considered it most for the benefit of the inhabitants at once to make the purchase of the entire line.

These considerations have led the council to acquire the large extent of property shown on the map.—(*Exhibit 47.*)

Witness has a knowledge of the rate at which property in Belfast will bring on a sale or letting, and he is clearly of opinion that it would be very advantageous to the inhabitants of Belfast, and be productive of a much larger return, if the council of the borough were empowered to grant building leases on long terms, and subsequently make sale of the reserved rents.

The course the council would propose to adopt, would be to adopt as far as practicable the mode adopted by the Commissioners of Woods and Forests, and by the wide street commissioners in Dublin. They would decide upon an uniform mode of letting and a lease, with uniform provisions, requiring security from the tenant for the completion of a building on a given plan and within a limited time, accepting, of course, the highest offer made by auction, or as tender, by a tenant who could give security for the fulfilment

ment of his contract; and as soon as the buildings might be erected, or within a time to be fixed, they would offer the reserved rents for sale by public auction or tender. Witness is of opinion, that if this large extent of ground which the council have on hands should be now offered for sale, there would be few purchasers offering, and that it would probably go at a low price to a few persons of capital, who would then themselves, by leasing it, derive the benefit which would accrue to the town by leasing; while if the council had power to grant leases, a great number of the inhabitants who may have sufficient capital to build but not to purchase out the ground, would become competitors for taking on lease, which would create a competition which would advance the price of the ground per foot considerably.

Witness is of opinion that the power to lease would in this way increase the return of the town to the extent of more than one fourth of the sum which an absolute sale in the last instance would yield, besides securing a uniformity in the buildings.

Mr. John Davison, again Examined.

Produces book, Exhibit 42. Sees the additional pages in book from Hercules-street to Rouch-lane; has compared the entries in that part of the book with his own entry and valuation of the premises; the entries are correct, and the valuation according to the best of witness's knowledge and judgment.

There are 10 of the better class of houses; 214 of the inferior class. The gross annual value is 1,776*l.*, and that comprises the value of the buildings; has signed his name at last page of the book.—(Return marked Exhibit, No. 48.)

Mr. William Wilsons, again Examined.

Has examined the returns produced by last witness. They are correct as to number and value, as stated by last witness.

Has signed his name to last page.

Mr. Roger Moore Dillon, again Examined.

Looks at returns, Ex. No. 48. Has made a calculation of the value of the premises therein; the gross purchase-money of the net value is 17,810*l.*; that is at the rate of 13½ to 16 years' purchase on the houses. The net annual value on which this calculation is founded is by deducting from the gross annual value of 1,776*l.* all taxes and other outgoings to which the property is subject, leaving the net annual value at about 1,300*l.*

That calculation does not deduct anything for repairs. Knows the locality; believes that is a fair calculation of the value of the houses if brought to sale; witness is of opinion that it is rather above what they would bring in the market.

OPPOSITION TO WIDENING AND EXTENSION OF STREETS.

CASE of William Bell, Mary Dobbin and Clotworthy Dobbin.

Mr. George Ash, sworn; and Examined.

HAS been in business in Waring-street for the last 34 years; is well acquainted with its requirements, and knows the property of Mr. Dobbin and his trustees. Is well acquainted with Mary-street, and with the ground that has been already purchased for the purpose of widening it.

After Mary-street shall have been opened, witness does not think that further openings are necessary at present; there are four approaches from the north into Waring-street, viz. Donegal-street, Hill-street, Mary-street, which is to be made a very wide street; also Tomb-street, which is a spacious street.

Looks at plan (Ex. No. 34); sees intended street marked B.

Keeping in view the expenses, thinks such intended street would be most injudicious.

Thinks that the opening of Mary-street will be quite sufficient to deliver Grattan-street and the tributary streams, keeping in view the limited traffic.

Considers the Dobbin's premises very valuable for the purpose of making the intended street B; it would require 30 feet of Mr. Dobbin's premises, and no more.

If the intended street were extended into Waring-street, about 30 feet only of the premises in Waring-street would have to be taken.

Witness has made a calculation of the expense of the projected improvement in Waring-street, and estimates it at 4,000*l.* to 5,000*l.*; that estimate does not include the good will of the tenants.

In the line of the proposed street there exists an old court which is very crooked; it is called Cotton-court. The houses in it on the side of Gordon-street are very old and very bad; on the west side they are very bad, but on the east side they are in tolerable order, and a good deal of money has lately been laid out on them by Mr. Hoy.

Part of Hoy's yard would be required in order to make Cotton-court 40 feet wide. Mr. Hoy holds that yard along with his holding in Waring-street, numbers 42 and 44 on map, as witness believes.

The street which the town council have already purchased will lead to the Queen's Bridge towards the east of the town.

The new intended street would lead from Grattan-street to the Commercial Buildings and the centre of the town.

The only other property which would be taken in front to Waring-street, in addition to that already referred to, would be the premises of Mr. Langtreay, (Nos. 42 & 44 on map) held by Mr. Henderson and his under-tenants, and also marked on the map "Waring-street Place." Mr. Henderson's premises in Waring-street Place are let at high rents in comparison to the accommodation.

The intended street could not be made 40 feet wide in a straight line without taking the premises marked 42 and Waring-street Place. Knows the neighbourhood well; 44 is part of the same holding as 42; they are both held by lease.

42 in front to Waring-street, is in connexion with Waring-street Place, and a store that runs along Cotton-court, and also a store in the north side of Cotton-court, which was lately put in very good order.

44 is simply a dwelling-house; it is now occupied as a broker's office; it is under the same lease with 42, but they have separate entrances. 44 is out of the range of the breadth of 40 feet, if the map be correct, which witness believes it is.

No part of the rear of 44 is within the line of the 40 feet.

Knows the premises 46 and 48; they are held by Mr. Hoy; they have buildings or yards connected with them; a very small part of the yard would come within the line of the 40 feet; 46 and 48 communicate.

One house on the east side and one house on the west side of the intended street in front to Gordon-street, belonging to Mr. Dobbin, would have to be removed.

It would be necessary to take down the whole or a part of all the houses on the east side of Cotton-court next Gordon-street.

It would not be necessary to take down the whole of the premises on the west side of Cotton-court; Nos. 8 and 10 would not be necessary.

The proposed new street is an alteration of an existing line of approach to Waring-street.

John Clotworthy Dobbin, Esq., sworn; and Examined.

Is a brewer and merchant residing at Belfast (*Refers to plan Ex. No. 36*). Witness's name appears as lessee with William Bell and others, in the schedule to the Act, for premises in Waring-street; has an interest in the premises; sees the premises on plan, Ex. 36, marked with letter B, connecting Grattan-court with Waring-street. Does not consider that the opening of that street is essential or desirable for public purposes.

The property through which the projected street is to pass, is, as witness believes, valuable. Is interested in a portion of a plot of ground in that locality, outside that which is colored on plan as the limits of the street. Conceives the introduction of the compulsory power in the Act would be prejudicial to the proprietors.

Cross-examined by Promoters.

There is no existing communication all along the proposed line from Gordon-street to Waring-street; it is a narrow and a crooked lane, at least a portion of it is; it is very narrow at the entrance from Gordon-street,—not more than 10 feet, if so much; thinks it is over six feet wide. It is, as witness thinks, nearer 10 feet than six.

The houses in Cotton-court are not old, with the exception of one. The houses 2, 4 and 6 on plan are built, as witness believes, within 30 years.

Re-examined.

There are at present several openings from the north to Waring-street, namely, Donegal-street, Hill-street, Cotton-court, Mary-street, and Tomb-street. A very considerable portion of property has recently been purchased by the town council, for the purpose of widening Mary-street; a large portion taken from witness. Has heard that powers had been taken in the late Act to widen Hill-street.

Does not consider that more than the existing thoroughfare through Cotton-court is required for the benefit of the public.

Mr. John Hay, sworn; and Examined.

Is a painter and pawnbroker, residing in Belfast. Refers to plan, Ex. No. 38, and sees the intended new street marked B., from Grattan-street to Waring-street; resides on the premises there shown; considers that the new intended street is unnecessary, as it is not more than 100 feet up to Mary-street. Grattan-street is not a leading thoroughfare, and a cart or vehicle can now pass through Cotton-court, from Grattan-street to Waring-street. The premises in the line of the intended new street are valuable. Witness has expended about 300*l.* within these four months on witness's premises. Witness pays a rent of 60 guineas a year for his premises from Waring-street into Cotton-court.

Cross-examined by Promoters.

Grattan-street leads into Talbot-street, which is the line of one of the intended improvements. Looks at No. 44 on plan, Ex. 38; measured the distance this morning from Cotton-court towards No. 44; found on that measurement that a portion of No. 44 would be required to make a 40 feet street, if such street were to be made through Cotton-court at all.

CASE of Messrs. George Kennedy Smith and George Crawford Hyndman.

Mr. George Crawford Hyndman, sworn; and Examined.

Is an auctioneer and broker; resides in Belfast. Looks at plan, Ex. No. 38. Sees the ground and premises marked with the letter E. Is well acquainted with the premises sought to be taken there by the promoters, but does not precisely know the boundary of what they want from witness and his co-trustee. Part of the ground sought for might be useful in extending a market. Conceives that it would be useful to throw part of the premises into the present butter-market. Thinks the butter-market might be improved by the throwing in of the premises marked on plan, as follows,—the three plots numbered 72, the premises marked 74, 74 A., and 74 B., to the extent of the present length of the market.

Witness is joint owner with Mr. George Kennedy Smith, as trustees of the premises in question, together with others in that locality.

Witness does not consider that 74 C. and 74 D., and the open passage from the ground occupied there to the boundary of the market, are in any way required for the improvement in question.

The premises marked 72 and 74, fronting Waring-street, are very valuable as at present occupied.

So extended a period as five years for purchase of ground for improvements, is, in witness's opinion, a very prejudicial clause to the property in question.

Witness has had considerable experience in the sale and valuation of property in the town of Belfast, having been himself frequently engaged in both, and witness considers that the conferring on the promoters of this Bill the compulsory power of taking the premises for which he is trustee, under the Land Clauses Consolidation Act, would most seriously prejudice his interest in the property in question.

CASE of Thomas Gregg, Esq.

Henry Russell, Esq., sworn; and Examined.

Is a solicitor in Belfast, residing here principally. Is concerned for Thomas Gregg and George Dunbar; their names appear in the proposed Bill as owners of ground. Mr. Gregg's ground is marked C. and D. on plan, Ex. 38. Mr. Dunbar's ground is marked A. on same plan. The property is held for lives, renewable for ever. Does not know for what purposes Mr. Gregg's property is sought to be taken.

Reads clause 4 of the proposed Bill. The Bill purports to widen all the streets in the locality of Mr. Gregg's property. There are portions of Mr. Gregg's property in question, not necessary for the improvements, as witness understands them. Has heard, and believes that the Belfast corporation are about to fill up the docks, and that when same is done, the widening of the streets there will not be necessary. Mr. Gregg does not object to give the ground for any necessary improvement. Other portions of Mr. Gregg's property in the borough have already been taken by the town council, under their compulsory clauses for town improvements.

Cross-examined by Promoters.

Some of Mr. Gregg's property, consisting of stores, is not very old, but witness has not been there for years. Store-lane is a very narrow and inconvenient thoroughfare, and that ought to be widened. The contemplated improvement by the Belfast Board is to extend the whole quay out 120 feet, as witness believes. That extension is to take place in front of Mr. Gregg's premises. The Town Dock and Limekiln Dock are to be filled up.

Merchants Quay is very inconvenient at present. Does not believe that there is a want of quay accommodation at that place. There is at present a great want of accommodation for steamers at Donagh Quay. If Merchants Quay were extended, and the water deepened and piled, it would afford useful accommodation for steamers. Placing steamers there would bring a very great thoroughfare to that locality; Mr. Gregg's ground is at present let off on old leases, which preclude him from improving the property whilst those leases exist.

CASE of *George Dunbar, Esq.**Henry Russell, Esq., again Examined.*

Looks at ground marked A. on plan, Ex. 36. Mr. Dunbar owns all the premises marked A. in the angle bounded by Green-street and Grattan-street. The proposed line of street is a continuation of Talbot-street, as appears by the map. Thinks the continuation of Talbot-street into the ground already purchased by the council would be an advantage. A great deal of Mr. Dunbar's property will not be required for the improvements as appears upon the plan. It would be injurious to Mr. Dunbar's interest that all that ground should be taken by the town council; any of it that is leased has not long to run, and witness is aware that the late Mr. Dunbar refused to renew the leases that had run out and they might all run out together, with the object, when all was out of lease, of getting it into his own hands to get a better class of buildings on it. The leases now in existence will, to the best of witness's recollection, expire in 9½ years.

Cross-Examined by Promoters.

The houses of Mr. Dunbar not actually required by the town council are generally of a very inferior description. There are several respectable houses on the lot. Mr. Dunbar has already actually taken down several of the houses of which he has got possession. The houses not required for the purposes of the street adjoin ground already purchased by the town council from Mr. Dunbar.

CASE of *Robert M'Kibben, George C. Hyndman, Jane Montgomery Margaret Hyndman, and Samuel Moreland.**Henry Garrett, Esq., sworn; and Examined as to premises of Robert M'Kibben and others.*

Is a solicitor residing in Belfast. Looks at the premises marked with letter H. on plan, Ex. 36. Part of the premises marked H. belongs to Robert M'Kibben, George C. Hyndman, Jane Montgomery, Margaret Hyndman, and Samuel Moreland, and they object to the compulsory power of taking their premises, as proposed in Bill.

Cross-examined by Promoters.

Those parties are interested in only one house fronting to High-street, and one house fronting to Rosemary-street, and some other small houses. The houses in Graham's Entry are inhabited by a low class of tenants. One tenement extends from Graham's Entry to Orr's Entry.

CASE of *Robert James Tennent, Esq.**Henry Garrett, Esq., again Examined.*

Witness is concerned for Robert James Tennent, Esq., whose name does not appear in the Schedule to the Bill. He is lessee of Nos. 17 and 19 on Chichester Quay, and 18 and 17 on Limekiln Dock, shown on plan, Ex. 36, and affected by the intended improvements. He objects to the compulsory power in the Bill, and if part is necessary for the improvements, he objects to taking more than necessary. His property on Chichester Quay runs the whole way through to Limekiln Dock.

In case it were necessary to widen those quays by the removal of buildings, a part of his premises would be necessary. There is very considerable traffic down Chichester Quay.

Cross-examined by Promoters.

Mr. Tennent's interest in the premises is a term of 70 years from 1767. A portion of Mr. Tennent's premises is vacant at present.

REPLYING CASE of Promoters.

John Bates, Esq., again Examined.

Sees the locality between Chichester Quay and Limekiln Dock; the houses there are generally in a declining condition, with very few exceptions; they are chiefly occupied as stores. There are two or three dwelling-houses and one or two public-houses in the whole block. Witness's answer has reference to all the fronts in the block; has lately inspected the premises; there are some houses unoccupied; can't say how many. Does not think the houses are of such a class as could, by remodelling, be made a good class of houses. Thinks that to improve the place it would be necessary to take down the existing buildings. That answer is general; there may be some of the buildings to be exempted; the area is an improvable site if the houses were removed. Limekiln Dock in its existing state is very narrow, not exceeding at its entrance 17 feet, according to witness's calculation. Supposing the docks filled and the quays projected, thinks the locality would be exceedingly useful for stores as connected with the quays, and that in its existing state, if the harbour improvements took place, it would be not only an unsightly mass of buildings, but impede the access to the quays. Thinks that in the event of the improvements taking place at the quays, the present proprietor is not in a position which would enable him to effect these improvements.

Cross-examined on part of Mr. Tennent.

Did not go into any of the stores on his recent examination; knows the stores of Mr. James Lemmon; has been in his warehouse, which appears to witness to be an old but substantial shop. Knows Mr. Robert Sims's premises; was not actually in any of the stores, but knows the locality for a period of 20 years, and has observed their external appearance and character. Witness's opinion of the premises is formed on the very decayed appearance they present externally; has reason for believing that they are not substantial buildings on the Limekiln Dock, from the state of the walls and the general appearance of the buildings. Chichester Quay is in a better state of repair. There are no unsightly buildings in other parts of the town, but certainly not about the quays.

PART 2.—EXTENSION OF MARKETS.

John Bates, Esq., again Examined.

(Refers to plans, Ex. No. 37, 38, 39, and 41.) The ground proposed to be taken is shown on those plans.

The reason the town council seek to take these grounds for markets is because of the insufficient market accommodation in the borough. There are four market-places now in existence, namely, Smithfield Market, Montgomery's Market, May's Market, and Ormond Market. Montgomery's Market and May's Market are to some extent used as meat markets; also, there are some stalls in Ormond Market, but Ormond Market will be altogether removed by the formation of the new street, which the town council are in the course of forming under the Act of 1845. There are no stalls on any portion of the ground now sought to be taken for markets. There has been no ground purchased by the town council with the view of forming new markets. The three markets which will remain, Smithfield, Montgomery's Market, and May's Market, will be continued, it is intended, for some market purposes, but it is not expected that they will be adequate for the market purposes to which they are now applied. In consequence of the want of market accommodation now existing, a great part of the market produce is now sold in the streets and thoroughfares leading into the town, and in the streets of the town. No one of the present markets is set apart exclusively for the sale of any particular commodity. The grounds marked out on the four plans (Ex. Nos. 37, 38, 39, and 41) are specified in Schedule A. to the Bill. The houses which it will be necessary to remove for the proposed extension of Smithfield Market are of a very inferior class, with the exception of those immediately fronting the present market-place, and these houses are not of the best description.

William Dickie Henderson, Esq., sworn; and Examined.

Is a merchant residing at Belfast. Has resided all his life in or near Belfast, and knows it upwards of 40 years.

Has an intimate knowledge of the state of the markets of the borough, particularly the grain market. Has an opportunity, from his experience, of forming an opinion as to the wants of the town in respect of markets.

The existing extent of market accommodation is not at all sufficient for the wants of the borough. It is very deficient, in witness's opinion. There is not half room for the produce that comes in from the country in any of the markets; more than two-thirds or perhaps three-fourths of all the grain is purchased in the streets, hotel yards, bridges, and the approaches to the town. Conceives that Belfast absolutely requires a grain market. Thinks that the provision trade of the town absolutely requires a market. Does not think, if it were well arranged, that a very large market would be required for grain. From his experience as an inhabitant of Belfast, is of opinion that the inhabitants of Belfast require, in addition to those in existence, a grain market exclusively, a butter and egg market exclusively, a provision market for the sale of dead pigs exclusively, and a flax market exclusively, and a potato market (if we should have them again), which might be connected with an apple market, and vegetable and fruit market. The quantity of fruit sold in this town is very considerable.

The people of Belfast feel much inconvenience, both buyers and sellers, from being obliged to deal in the streets.

There should also be a cattle market, and a hay and straw market.

Mr. William Hastings, again Examined.

Refers to plan (Ex. No. 7). Knows the general level of the ground required to be taken near May's Market. The lowest part of it, as shown upon levels made by witness, with the exception of some pools of water adjoining the bank, the depth of which witness has not taken, is 6 $\frac{1}{2}$ feet above the sill of the graving dock. The sill of the graving dock is 1 foot 9 inches below the average ebb of spring tides.

The highest level of the ground proposed to be taken is 8 feet above the sill of the graving dock, and it falls gradually to the lowest level near the embankment.

The level of May-street at the entrance of May's Market is 9 feet 4 $\frac{1}{2}$ inches above datum.

Thinks that the ground proposed to be taken could be prepared by draining at a moderate expense;

expense; it could be done by filling up at the lower part of it for a depth of about 2 feet, and draining it by sewers protected from the tide by valves.

The flow of the tide is at present excluded by artificial means, by embankments; does not know of any repairs having been necessary to it.

Adam Hill, Esq., sworn; and Examined.

Is a merchant, and has resided in Belfast for the last 52 years; the market accommodation is very bad in Belfast; thinks that several new markets are required.

The wheat market is the one witness is principally engaged in. They are very badly off for a grain market; in fact, there is no regular grain market in Belfast.

Witness agrees with Mr. Henderson, whose evidence he heard, and is of opinion that he stated very correctly the wants of Belfast with respect to markets.

Mr. Arthur Gefegan, sworn; and Examined.

Has resided a long time in Belfast. Is acquainted with the state of the market accommodation in the borough; has formed an opinion as to the markets which the wants of the people have rendered necessary.

The borough would require nine markets for its accommodation:

1. A horse market.
2. Cattle market.
3. Grain market, including fruit, flax, potatoes, and meal of all descriptions.
4. Pork and butter market for export.
5. The present market, called Smithfield, which witness would appropriate to the sale of old furniture, iron stalls, turf, and firewood. Those articles at the present time occupy an acre and a half. If it was enlarged, hay and straw might be sold there; but the streets leading to it are narrow, and if used for a hay market, they should be widened.
6. Montgomery's Market would answer for sale of live poultry, eggs, and fresh butter.
7. A hay, straw, and grass market; sometimes as much as half an acre would be covered with grass for sale.
8. A new meat, vegetable, poultry, and fish market on the north-east end of the town, convenient to the docks, where there is a great increase of late to the town.
9. The west end of the borough would require a meat, vegetable, poultry, and fish market; also, there should, in addition, be ground set apart for a public slaughter-house, which is much wanted.

Mr. William Hastings, again Examined.

Has made an estimate of the extent of the ground shown in plans, Ex. No. 37, 38, 39, and 41 in statute measure, and which is proposed to be taken under the new Bill:

						A.	R.	P.
The extent of ground shown on	Ex. No. 37 is	-	-	-	-	31	0	11
On Plan, Ex. No. 38	-	-	-	-	-	3	1	11
On Plan, Ex. No. 39	-	-	-	-	-	14	1	17
On Plan, Ex. No. 41	-	-	-	-	-	15	1	31

Witness can state what quantity of ground the town council are empowered to take under the former Acts.

Has made an estimate of the whole of the ground in the neighbourhood of May's Market and May's Dock, taken under the former Act for the purposes of markets. The whole extent of it is eight acres, one rood, one perch, statute measure.

The area of Smithfield within the railway is one acre, 30 perches, statute measure.

Mr. William Rogers, again Examined.

Has made an estimate of the value of the ground proposed to be taken under the new Bill.

The ground on plan, Ex. No. 37, he estimates at £2,000. That estimate is made from actual inspection of the ground; that does not include the buildings. There are six houses on the ground.

Made the estimate on the principle that the ground could not at present be made available for building lots without a large expenditure; the ground could not be made available for buildings; has not valued it as for agricultural purposes; it would not bring one-fourth of that value for agricultural purposes; has valued it at what it would now bring in the market.

Has made an estimate of the value of the premises shown on Ex. No. 39; has valued them altogether at £10,200; that is the value of the 14 acres, 1 rood, 17 perches, shown on plan, and which is not built upon. That, witness believes, would be the present value of the ground in the market.

Has made an estimate of the value of the ground shown on plan, Ex. No. 41. Estimates it at £4,250.

In making the estimate of those values, witness calculated some of the ground as now available for building purposes, but the greater part of it witness did not consider as now available for building.

The whole of it could be made available for building by the expenditure of money on it; it would require to be thoroughly drained.

The population of Belfast within the municipal boundary for 1847 is 101,498; for 1857, it would be 159,008; making an increase of 58,010. In 1867, it would be 220,230; making an increase of 99,730. In 1877, it would be 295,418; the increase, 136,180, calculated at 5½ per cent. per annum on the last Government return.

Cross-examined on behalf of Messrs. Joy.

Made the calculation of the value partly last night and partly this morning. Knows the ground for the last 15 years.

The value of the ground on plan, Ex. No. 39 (Blackstaff), was made by witness this morning. Did not go on the ground, but walked past it. It could be all seen from where witness viewed it; has known it for 15 years; walked past it to look at it. Mr. Hastings last night pointed out the ground he was to look at; witness could see all the ground from the road, notwithstanding the buildings; made no calculation of the value for which it would let for building ground; valued it as building ground at 600*l.* per acre for a swamp. Did not value it by the year's purchase; valued it as worth 600*l.* per acre, if sold in the market at the present time. Based his valuation on what he considered it was worth in the market to sell by auction; considers its price in the market. Has not made a calculation of what its nominal value by the acre would be. It would depend entirely on what purpose it would be put to. It is as now occupied worth very little per acre.

Valued Mr. Tennent's ground (on Ex. No. 41.) at 250*l.* per acre, that is, at the Old Lodge Road; that is what it would bring in the market if sold at the present time. Mr. Tennent's field is about half a mile from the New Bridewell. Does not know what the grand jury paid for the site of the New Bridewell. The field marked No. 17 on plan (Ex. 41.) was pointed out to witness by Mr. Hastings as Mr. Tennent's, and as containing three acres, two roads, one perch.

Considers that that value of 250*l.* an acre a fair value as compared with Mr. Joy's ground at 600*l.* an acre, owing to the difference of locality.

Mr. Arthur Chichester Gefagan, sworn; and Examined.

Is a collector of poor-rate in the Belfast Union; has not the book with him showing the value of premises, but knows the value of the ground of the Messrs. Joy, shown on plan Ex. No. 39; the value is put on at what the property would be supposed to let to a solvent tenant for the purposes it was then used for, that is grazing. Supposes Messrs. Joy's ground to contain about four or five statute acres; part of the ground has been let off as building ground since the poor-law valuation was made.

There was no actual valuation made for poor-law purposes till 1839; the poor-law came into operation in 1840.

The value of Messrs. Joy's property was taken at 20*l.* on that occasion; two lots at 10*l.* each; that value was taken at what it would set to a solvent tenant for grazing.

OPPOSITION TO EXTENSION OF MARKETS.

CASE of Robert James Tennent, Esq.

Robert James Tennent, Esq., sworn; and Examined.

Is well acquainted with the town of Belfast, and has been so for a considerable time. In witness's opinion the field on the Old Lodge Road, shown on plan, Ex. No. 41, is not an eligible site for a market. It is out of the way for the present time of Belfast, or for any probable extension of it, as witness does not think that that is the probable direction in which the town will extend within a reasonable time.

A market situated there would not be a desirable place to accommodate the public. Believes it would be a very undesirable place, and inconvenient.

The portion of the population which it would accommodate would be very small.

Is a proprietor of a portion of the ground shown on plan (Ex. No. 41).

Considers his property as shown on plan to be valuable, for building purposes especially. Can state that at least 10 years ago, or probably 12 or more, witness was offered 600*l.* a year for the field for building purposes, with a security for the outlay of a large sum in building within a short time, and at that time witness thought the offer very much below the value. Considers that it has since increased in value, and is now more valuable; but has formed no estimate of how much more.

Believes that witness's ground is now available for building purposes; witness would have applied it for such purposes some years ago, if he had then been in a situation to grant building leases, and believes that it could now be made available as building ground.

Believes that the town council could obtain eligible sites for markets in the neighbourhood of Belfast by agreement, and without compulsory powers of purchase.

Cross-examined by Promoters.

Assuming that witness's ground were an eligible site for a market, witness does not believe that the public would probably get the ground on as advantageous terms by private agreement, as under a compulsory power, and for these reasons:

Belfast
Improvement Act
Amendment.

In the first place, the town council must be the purchasers; there would be no competition.

2dly, The town council of Belfast is a body composed at present of one class of parties exclusively, and efforts are made to keep it so; and, in consequence, considerable party spirit exists in Belfast, so that it would be almost impossible to select a jury in Belfast not composed of parties who would be supposed to have a leaning one way or other, and to mix up political matters with what they ought to have nothing to say to. A town jury is objectionable in that point of view; and though their award might be impartial, yet it would not from these circumstances give satisfaction, and a county jury would not have that knowledge of the town to estimate the proper value of the property.

Witness does not know, nor has witness any grounds for believing, that the town council of Belfast have been influenced in their purchases from the inhabitants, under the compulsory powers which they at present possess, by any political considerations.

The juries selected are from the county of Antrim panel. Believes that the members of the town council are not competent to serve on the panel.

Does not mean to say that an impartial jury could not be selected from the county of Antrim panel to try the value of the property.

Believes that a special jury might be had under the provisions of the Land Clauses Act to try the value impartially.

In witness's opinion, the premises shown on plan, Ex. No. 41, are not an eligible site for a market. That refers generally to the locality, but particularly to that part near the Old Lodge Road.

Does not think it would be an eligible site for a cattle market, nor for a hay and straw market, nor for any market, considering the facilities of access.

One side, witness observes, extends to the Antrim turnpike road, which is a leading thoroughfare into town from a considerable part of the county of Antrim; it is the greatest thoroughfare into Belfast from the county of Antrim, in witness's opinion.

The site shown on the map appears to present a long front to that road. There would therefore be a very easy access to the ground from that side.

There would be means of access to it also from the Old Lodge Road; it presents a front to the Old Lodge Road for the length of two fields, as shown on the plan.

Knows Carrick Hill; there may be a means of access to this ground from Carrick Hill; has no reasonable doubt of it, but has not been there for some time.

Does not think there are sufficient means of approach on the side of which he knows, viz. the Old Lodge Road; there are on the Antrim road side.

Does not think that this ground would be an eligible site for a cattle, horse, hay, or pig market.

In witness's opinion, it is not the site that should be selected for any of those markets. The ground would answer for a market; but there are other situations which, in witness's opinion, would be more desirable for the purpose.

Get an offer for his ground, 10 or 12 years ago, for building ground; the value of it has increased since.

Believes the town is extending somewhat in that direction; believes there was a street built in that direction, but witness has not been there for years.

Having leased his property for a term of years, has had no interest in going to that locality.

The new gaol has been erected on the Antrim road; believes that the new court house is to be erected in that direction.

This must have the effect of extending the town in the direction of the Antrim road; but witness's property is on the Old Lodge Road.

Witness believes that the existing markets are sufficient for the town accommodation with a very little addition, or with a market in addition to those in existence.

Witness has considered the comparative eligibility of sites for markets, so far as referring to the map for the purpose; thinks more central situations could be obtained.

The compulsory powers of taking ground have been exercised with regard to property of witness to some little extent.

Has not been served with notice with respect to the proposed Bill.

REDUCTING CASE to Mr. Tennant's Opposition.

Samuel M'Dewell Elliott, Esq., sworn; and Examined.

Is a solicitor residing in Belfast; has resided in it for many years. Has an intimate knowledge of the town; has been sequestrator of the manor for some time.

Looks at the plan, Ex. No. 41. Sees the ground there marked; is very well acquainted with that ground and neighbourhood; has ground of his own adjoining it.

Believes that the ground shown on the plan presents an eligible site for a market. Witness believes that it is a most eligible site for a hay, straw, or cattle market, having regard to the quantity of the space of ground required.

Knows no place so near Belfast where such a space could be had so eligibly situated. Could not point out any piece of ground in or near Belfast where the approaches to it would place such a piece of ground so central.

It presents fronts to two public roads, but the Old Lodge Road is a comparatively unimportant road.

The approaches from the counties of Antrim and Derry is by the Antrim turnpike-road; the

the approach from Crumlin turnpike-road just adjoins the termination of the ground sought to be taken.

The approach from the Carrickfergus turnpike-road, although not direct upon it, is accessible from the top of Donegal-street, which witness understands adjoins a portion of the ground proposed to be taken for the market, lying nearest to Belfast.

The approach from the central part of Belfast is by Donegal-street. There are other approaches by Stanhope-street and the Old Lodge Road.

It has been contemplated for some time past to open a communication from the Old Lodge Road to the Shankhill road, and the street in that direction has been partly formed. On this being opened, the communication from the Shankhill road and that country would be directly opened to it, and thence the communication from the Falls road through Townsend-street, and from the Malone road through Durham-street.

The eligibility of that site is entirely on the county of Antrim side, and witness's opinion is given on the assumption that a market is required on that side.

Does not know any ground about Belfast so eligible for a market.

The town is extending in that direction in some measure. Upon one road a good class of houses has been built, and is continuing to be built; and on another road, houses of an inferior class are building, lying alongside and beyond the proposed market.

Witness has no doubt, from his knowledge and observation, that the town will extend rapidly in the direction of, and greatly beyond the site of the proposed market.

Cross-examined on behalf of Mr. Tennent.

The only approach to the market which witness spoke of as not being made, was that from the Shankhill road to the Old Lodge Road; all the other approaches are open. The opening of that approach witness believes is intended to be made by private arrangement.

The approach by the Old Lodge Road is an unimportant one, owing to its narrowness.

Witness's evidence as to the eligibility of the ground for a market, applies to the whole of the ground, and not to Mr. Tennent's ground, which, without the approaches to the whole ground, would not be an eligible site; it would be a most objectionable one.

The approach to Mr. Tennent's ground is by North-street. Considers North-street a very important business street, so much so, as to have its thoroughfare very inconveniently crowded in the absence of any market in that direction.

If North-street were to become the mode of access to this market, it would require to be widened.

A great portion of the advantage of a market in that locality would be lost, unless there were access to it from either side.

Approaches on all sides to the market would be necessary.

If a sufficient approach to the market were given through Mr. Tennent's ground, it would be equally eligible.

If sufficient ground were taken from Mr. Tennent to double, or a little more, the width of Stanhope-street, it would give a sufficient approach to the market, but cannot say that the ground would be sufficient for a market, exclusive of Mr. Tennent's ground.

The making of a market there would be a great detriment to the building of the class of houses on the Antrim road, but it would be a great advantage to the Old Lodge Road side.

This ground is out of the municipal boundary: cannot say whether that increases or lessens the value.

Mr. Francis Rea, again Examined.

Refers to plan, Ex. No. 41. Knows the town of Belfast intimately; knows the locality shown on plan particularly well; that ground affords a very good site for a market of a particular kind for the people of Belfast, either for a hay, straw, cattle, or horse market. It is peculiarly eligible for a horse-market, as it lies within 416 yards, as witness has been informed, of the place where the present horse-fair is held. The present horse-market is held in the public streets, from want of accommodation, and it is of very great risk to the lives and safety of the inhabitants.

Three-fourths of the hay and straw coming to Belfast comes along the Crumlin road and the Antrim road.

The place where the present horse fair is held is a leading thoroughfare; it is a very fine street. The fair also occupies the cross streets.

The proposed site would be equally convenient for the persons residing on the Carrickfergus road, with the present Smithfield Market; and considers, that in consequence of the present very difficult and narrow entrance to Smithfield from Wisetavern-street, it would be still more eligible.

Has been an extensive purchaser of hay for the last 14 years.

Cross-examined on behalf of Mr. Tennent.

Persons coming from the county of Down would have to go further to the proposed market than they have now to go to Smithfield. They would have to go across the entire town of Belfast to get at the proposed market.

There is not a good approach at present to the proposed market from the Falls or Malone road.

The proposed market is not as convenient for purchasers as Smithfield, but Smithfield is inadequate for one-sixth of the duties it has to perform. Smithfield is confusion worse confounded.

Belfast
Improvement Act
Amendment.

It might answer for hay alone, but many other articles are sold in it: sheep, cows, old iron, and many other things.

The new market would be very eligible for a horse market, as eligible as the present one. The horse market should not be where it is at all.

Considers there would be three approaches to it as a horse market.

From the town the principal approach would be by Donegal-street.

If a portion only of the ground on plan, Ex. No. 41, were to be taken, that part on the Antrim road would be the most suitable, but a horse market would require a long run of ground.

The extent of ground along the Antrim road would not be near long enough for the run of a horse market, if it only measure 500 feet; if it measure 900 feet, it is nearer being sufficient.

Does not consider that Smithfield, even if enlarged and the incumbrances removed, would be eligible as a hay and straw market unless the approaches were widened.

Thinks Mr. Tennent's ground would, even if taken alone, be a very eligible site for a market for domestic purposes, but not if taken alone for a horse, cattle, or straw market. It would not be sufficient in point of room, not having a sufficiently long run for a horse market; nor would it be eligible in point of access to it.

If Mr. Tennent's ground were taken alone for market purposes, it would be the better of additional approaches; the present ones are not sufficient.

Assuming the quantity of ground shown on plan, Ex. 41, to be 15 statute acres, it is more than sufficient for a horse market.

If a part only of the ground were to be taken, in witness's opinion Mr. Tennent's would be the most eligible, if the ground marked K. were to be taken along with it, owing to the ground being nearest to the town.

If only a portion of the ground on plan were to be taken, witness would take the whole of Mr. Tennent's field, and extend the ground across K. to the Antrim road.

Witness does not think that the extent of ground along the Antrim road would give a sufficient run for a horse market if the Lying-in Hospital were excluded.

Excluding Mr. Tennent's field, and the hospital and field marked B, there would be barely sufficient length of run; but witness thinks that it would not be as eligible as if Mr. Tennent's field were included, the plot marked as No. 16 being, in witness's opinion, rather narrow; considers field No. 16 to be, according to the scale, 270 feet wide at the narrowest point.

In witness's opinion markets should be as square as possible.

Will not say that field 16 is too narrow for a horse market, but witness is of opinion that when more ground can be got, it should be taken.

CASE of Messrs. Joy.

Mr. Richard Atkinson, again Examined.

(Refers to plans, Ex. No. 30 and Ex. No. 38.)

Knows the portion of Mr. Joy's ground which the town council propose to take at the Blackstaff river; knows that ground of Messrs. Joy's adjoining that portion has been let for building ground. The portion which is now proposed to be taken by the town council is valuable as building ground, as witness considers.

The town seems to be extending in that direction; a portion of Messrs. Joy's ground was let in May, and another lot let in February. On the latter a large hotel has been built. The May letting has not yet been built upon. Hanlon took two lots from Messrs. Joy. Remembers a lot of ground of Messrs. Joy, which was taken by the Ulster Railway Company. It lay on the other side of the road from that which the promoters seek to take.

Is a clerk in the employment of Mr. Joy, the attorney. Mr. Frederick Joy has the management of Messrs. Joy's property. Never heard of any proposal by the town council to purchase Messrs. Joy's ground under the Act of 1845, but a proposal might have been made without witness's knowledge.

James Davis, Esq., again Examined.

Recollects negotiating a sale of ground of the Messrs. Joy to the Ulster Railway Company, in the absence of Mr. Frederick Joy. That ground was taken by an inquiry. It consisted about an acre. It was a very ugly piece of ground, without any front. The Durham-street Road lies just beyond it. The Messrs. Joy were awarded 550*l.*, or thereabouts, be the more or less. Witness's impression is, that it was upwards of 900*l.* There was an inquiry; it lasted upwards of a day, and was a very contested inquiry. The claimants marked out their ground as building ground. Witness was concerned for the Messrs. Joy and Mr. Orr on that occasion, and claimed 1,300*l.* for their land, as building ground with valuable frontage.

Cross-examined by Promoters.

Can't recollect the ingredients of the award made by the jury. There was no portion of Messrs. Joy's ground with building front; but if a street had been run down from Durham-street, a frontage could have been obtained. Mr. Orr and Messrs. Joy, if they joined, could have given it a frontage.

Re-examined.

The Ulster Railway Company did not take the water of the Blackstaff river from Messrs. Joy.

Mr. Richard Atkinson, again Examined.

The lots of Messrs. Joy's ground, which have been let for building, were let at 10s. a foot, and some at 9s. a foot. The 10s. lots have the advantage of two fronts. The lots to which he refers are nearer to the town than the ground now proposed to be taken by the town council. They abut upon it, but are upon the townside of the Blackstaff.

CASE of Samuel John MacLurean, Esq.

William MacLurean, Esq. sworn; and Examined.

Is agent for Mr. Samuel John MacLurean; he is owner of property on the Antrim road. It extends from the Antrim road to Wall-street. (*Points it out on plan, Ex. No. 41.*) Part of it is held for lives, renewable for ever; that part is marked on plan, Nos. 11, 12, 13. The front along the Antrim road is held for a term of years, of which a few are unexpired.

Cross-examined by Promoters.

Has been an inhabitant of Belfast for a long time; knows the present markets, Smithfield, May's, and Montgomery's Markets. Does not know any other market in the borough. Thinks three markets should be extended. Does not think them sufficient for the accommodation of the borough.

Re-examined.

Knows the present market. In addition to the three in existence, believes additional markets would be required for Belfast.

Has heard of Poultony-square, and the ground adjoining May's Market, and believes it would be eligible for markets, and much more so than the ground of witness's brother, for which he is agent. Does not think the ground shown on plan, Ex. No. 41, would be an eligible site for a market. The ground adjoining May's Market would be much more eligible.

Has no other reason for believing that ground on plan (Ex. 41) is not eligible as a site for a market, unless from its being building ground. The situation is a fit situation for a cattle market. The population in the locality of that ground is not dense immediately adjoining the ground which belongs to witness's brother.

The population is dense in the neighbourhood of the Old Lodge Road, and increasing rapidly. There has been a very great increase, but can't state the exact amount. There are a great many new buildings erected on the Old Lodge Road, extending in the direction of the Cumberland-road, within the last few years.

The ground of witness's brother, held for lives, renewable for ever (marked Nos. 11, 12, and 13 on plan, Ex. No. 41), is, in witness's opinion, of the value of 1000*l.* a year, if let for building ground. Has had applications for letting of it lately, and parts of it have been let, on which houses have not yet been erected. Knows of applications for considerable portions of it as building ground.

Cross-examination resumed.

The ground on plan marked with the Nos. 11, 12, and 13, is chiefly occupied as a brick-yard at the present time; can't state the rent now received for it, as it is only within the last few days that witness has been appointed agent for the property, owing to his brother's death. On No. 13 there is one house built, and, as he believes, the foundations of other houses laid; the tenant holding under lease is Ryan; it adjoins, as witness believes, the ground of Mr. Robert James Tennant.

Samuel M'Dowell Elliot, again Examined.

Knows Dr. MacLurean's ground, shown on plan (Ex. No. 41); recollects his purchase of it. Dr. MacLurean's purchase of ground was of greater extent than that shown on the plan; it was subject to 60*l.* a year rent; 2750*l.* was paid for it. In the ground so bought by Dr. MacLurean was comprised an equal length with the plot on plan, but from 100 to 150 feet in breadth additional on the east side of Trinity-street. That purchase was completed about 10 years ago; it was a brick-field in a very bad state at that time. It was very much like what it is at present, except that Trinity Church is built upon it; it is decidedly more valuable now; cannot accurately speak of its present value. Holds ground immediately adjoining. The population is increasing in that direction.

Cross-examined by Promoters.

This is the same ground as that to which witness spoke of yesterday as being a most eligible site for a market.

Re-examined.

Witness would not take 1000*l.* an acre for his own ground adjoining, which lies more distant from Belfast, but witness considers his ground is better circumstanced.

Belfast
Improvement Act
Amendment.

CASE of Sir Arthur Chichester.

Mr. John Smith, sworn; and Examined.

Is in the butter trade; resides in Belfast; knows the ground marked with letter E, shown on plan, Ex. 36: it belongs to Sir Arthur Chichester. Witness is an occupying tenant of part of it under him. There are small stores or sheds on that ground; they are the property of Sir Arthur Chichester. There are public weighing scales there; the weigh-master weighs his butter there. Such agents as Sir Arthur Chichester appoints, receive the tolls. Butter is weighed there. No other person but Sir Arthur Chichester and his agents weigh them.

Cross-examined by Promoters.

This ground is a very convenient place for a market or any purpose. It adjoins the quays.

CASE of Mr. John Miller.

Mr. John Miller, sworn; and Examined.

Is an architect residing in Belfast. (*Looks at ground marked letter L. on plan, Ex. No. 38.*) Is owner of ground shown on that plan, bounded by Kennedy's-row, Miller's-lane, and Smithfield, and including also the whole of the north side of Kennedy's-row. The annual value of it is at present about 500*l.*, and on the dropping of some old leases in a few years, it will be upwards of 800*l.* Believes that an extension of Smithfield market is necessary for the accommodation of the inhabitants of Belfast. The proposed extension will interfere with the entire of witness's Smithfield property. Believes that the granting of the compulsory power to take the property will prove prejudicial to witness's interest.

There is a more eligible way, in witness's opinion, of enlarging Smithfield than by the extension of it on the side on which witness's property lies; can point it out. Refers to plan, Ex. No. 7. Thinks the extension north and south to North-street and Mill-street, respectively, would form a more eligible improvement than that proposed. The value of the property to be taken for either improvement would be nearly equal. At the rear of that side on which witness's property is, and proposed to be taken by the town council, there is a large collection of most inferior houses, and a dense population. If the improvement were carried out on the north and south side, a flax spinning mill on the one, and a Roman-catholic chapel on the other would be interfered with.

The foregoing is a correct copy of the Evidence taken on this Inquiry.

20 February 1847.

Robert C. Lee.